NOTIFICATION.

No. S. R. 8058—Regis. 27-50-2 dated Bangalore, the 31st March 1951.

In exercise of the powers conferred by Section 78 of the Mysore Registration Act, 1903, as amended from time to time, His Highness the Maharaja of Mysore is pleased to direct that the table of Registration fees be revised as per the Schedule enclosed and that the revised scale of fees be levied with effect from 1st April 1951.

By Order of His Highness the Maharaja,

T. RANGAMALLIAH,
Secretary to Government,
Revenue Department.

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PART III.

Table of Registration Fees under section 78 of the Mysore Registration Regulation, No. I of 1903.

The registration fees payable to the several offices of Registration in Mysore shall be as follows :—

I. (*a*) For registration of documents in books I and IV—

		Rs.	a.	p.
(1)	When the value does not exceed Rs. 10	0	4	6
(2)	When the value exceeds Rs. 10 but does not exceed Rs. 25	0	7	0
(3)	Do 25 but does not exceed Rs. 50	0	9	0
(4)	Do 50 do do 75	0	13	6
(5)	Do 75 do do 100	1	2	0
(6)	Do 100 do do 150	1	11	0
(7)	Do 150 do do 200	2	4	0
(8)	Do 200 do do 250	2	13	0
(9)	Do 250 do do 300	3	6	0
(10)	Do 300 do do 500	3	15	0
(11)	Do 500 do do 750	4	8	0
(12)	Do 750 do do 1,000	5	10	0
(13)	Do 1,000 do do 2,500—For the first thousand as under Sub-Clause 12, and for every 500 or part thereof in excess of 1,000	Rs. 1	2	0
(14)	Do 2,500 but does not exceed to Rs. 5,000—For the first 2,500 as under Sub-Clause 13, and for every 500 or part thereof in excess of 2,500	Rs. 1	11	0
(15)	Do 5,000 but does not exceed Rs. 25,000—For the first 5,000 as under Sub-Clause 14 and for every 1,000 or part thereof in excess of 5,000	Rs. 2	4	0
(16)	Do 25,000 but does not exceed Rs. 50,000—For the first 25,000 as under Sub-Clause 15, and for every 1,000 or part thereof in excess of 25,000	Rs. 2	13	0
(17)	Do 50,000—For the first 50,000 as under Sub-Clause 16, and for every 1,000 or part thereof in excess of Rs. 50,000	Rs. 3	6	0

(*b*) The consideration expressed in a document is generally taken to be its value for determining the registration fee. Where no consideration is expressed, the value of the property dealt with as shown in the document is taken.

(*c*) The provisions of sections 5, 6, 20, 21, 23 and 25, of the Mysore Stamp Regulation and of the Indian Stamp Act, respectively, are applied *mutatis mutandis* to calculations of value for the purpose of determining the registration fee.

(*d*) In the case of leases the value is taken—

(1) at the total rent for the whole term when the lease is for periods not exceeding one year ;

(2) at the average annual rent when the lease is for periods exceeding one year ;

(3) at one-fifth of the whole amount of rents payable for the first fifty years when the lease is perpetual.

In all cases where a fine or premium is paid or is made payable or money is advanced, that amount is also added to the value. When a lessee undertakes to pay assessment quit-rent, etc., in addition to the rent, the said payment also is added to the rental value. If the rent is payable in kind and its money value is not specified in the lease, its value is taken to be the highest amount which the stamp borne by the document shall suffice to cover ; but if the lease bears no stamp or is exempt from stamp duty, the money value of the produce is calculated at the current market rates.

Where in agricultural leases for one year or less the rent is not fixed either in kind or in cash and the lease deed is unstamped, its value for purposes of registration is taken to be five times the assessment on the land the rent of which is secured by the instrument, when the survey assessment is specified in the lease.

(*e*) In the case of deeds of partition, the value of the separated share or shares on which the stamp duty is payable is taken as the value or consideration.

(*f*) When the value of the document is not specified :

In the case of all other documents in which neither the consideration for the transaction nor the value of the property affected is expressed, or in which it is only partially expressed the

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value shall be the maximum amount which the stamp borne by the document is sufficient to cover, if the document is one which is liable to stamp duty at *ad valorem* rates. If the value cannot be determined from the stamp, as for instance when the deed is not liable to stamp duty, or is liable to duty at a fixed amount irrespective of the value of the transaction, or when the transaction is not susceptible of money valuation, the fee leviable shall be Rs. 6-12-0 provided that in cases where value of only a portion of the property or consideration is given and that value exceeds Rs. 1,500 the fee shall be levied on the value so expressed.

Note.—In the case of documents evidencing petty transactions incapable of valuation the Inspector-General of Registration may, if he considers that the levy of a fee of Rs. 6-12-0 would be productive of hardship, authorise Registering Officers to levy a lower fee, which however shall not be less than four annas and six pies.

(*g*) For registration of a document purporting to give collateral or auxiliary or additional or substituted security or security by way of further assurance, where the principle or primary mortgage is duly registered :—

Same fee as for the principle or primary mortgage.

(*h*) For document acknowledging receipt or payment of consideration on account of any previously registered document or for any receipt acknowledging payment of a debt or rent due under a previously registered document :—

Ad valorem fee as per Article 1A, subject to a maximum of Rs. 2-4-0, *vide* Government Notification No. Fl. 2366—Regis. 12-29-1, dated 25—26th September 1929.

(*i*) For a duplicate or counterpart of a document—

If registered at the same time as the original, Re. 0-4-6 per 100 words or part thereof, provided that if the fee to be recovered at the rate of Re. 0-4-6 per 100 words is higher than the ordinary fee for registration, the ordinary fee shall be charged.

(*j*) Certified copies of decrees, orders of courts and awards—

Ad valorem fee as per Article 1 (*a*).

For Registration of Adoption deed : —

(Whether or not the deed refers to immovable property to which the adoptee becomes entitled). } Rs. 11-4-0.

G. O. No. Fl. 1628—Regis. 29-41-2, dated the 2nd September 1942.

II. For registration of Wills and Authorities to adopt—

(*a*) Opening a sealed cover and entering the contents in Book III :—

Rs. 2-4-0 *plus* copying fee at the prescribed rate.

(*b*) Will or Authority to adopt presented open :— Rs. 11-4-0. Provided that in the case of Wills in which the value of the property dealt with is mentioned and that the value does not exceed Rs. 3,000 the registration fee shall be as per *ad valorem* scale in Article 1 (*a*).

III. Sealed Covers (Book V).—

[*a*] For deposit and entry in Book V of a sealed cover purporting to contain a Will .. Rs. 3 6 0

[*b*] Withdrawal of any such cover .. Rs. 3 6 0

Article III—A. The registration fee for a deed of cancellation or revocation shall be that liable on the original document cancelled or revoked—subject to a maximum of Rs. 5.

(G. O. No. Fl. 2250—Regis. 14-38-2, dated 16th November 1938).

IV. Registration by a Registrar (in cases other than those in which a document is registered by a District Registrar in consequence of the Sub-Registrar being a party interested in the transaction to which such a document relates—

Extra fee of Rs. 5 when registered under Section 30 (*a*) by any District Registrar and Rs. 10 when registered by the District Registrar of Bangalore under Section 30 (*b*) of the Mysore Registration Regulation : Provided that no extra fee shall be levied when the English document is registered by a Registrar solely in consequence of the language in which it is written being unknown to the Sub-Registrar by whom it is properly registrable :

Provided also that no extra fee shall be levied for the registration of a counterpart or a duplicate of a document in respect of which extra fee has been paid, as above such counterpart or duplicate is presented for registration on the same day as the original document, when the original is also registered.

V. (*a*) (1) Memorandum under Sections 64, 65, 66 and 67 .. .. Rs. 1 2 0

(2) For each additional copy required for 100 words or part thereof .. .. Re. 0 4 6

(*b*) When a copy of instrument has to be sent to the Registrar of another district such copy should be charged for at the rate of Re. 0-4-6 per 100 words and additional fee of one rupee and two annas for each memorandum issuable under Section 66, must be levied and remitted to the Registrar.

VI. (*a*)—(i) Search for or inspection of a single entry or document—

For the first year in the Books of which search is made, for each entry or document Rs. 1 2 0

For every other year in the books of which search is continued for each entry or document .. Re. 0 4 6

(ii) General search for an inspection of any number of entries or documents relating to one and the same property or executed by or in favour of one and the same individual.

For the first year in the books of which search is made .... Rs. 2 4 0

For every other year in the books of which search is continued .... Re. 0 9 0

Note.—(1) The rates mentioned above as subject to a maximum of Rs. 5-10-0 and Rs. 11-4-0 in the cases of single and general searches, respectively, *vide* G.O. No. Fl. 1122—Regis. 26-26, dated 4th August 1927.

(2) Every application for the continuance of a search made after one week from the date of completion of that search will be treated as fresh application and the higher fees of Re. 1-2-0 or Rs. 2-4-0 respectively, will be charged for the first year in the books of which the search is desired to be continued.

Note.—(2) of Article VI (*a*) (ii) relating to fees for search under Section 57 of the Registration Regulation published in Notification No. P. 5552—Regis. 30-89-9, dated 6th January 1923 will be replaced by the following :—

"Every application for the grant of a certified copy unless made at the time of registration of a document shall be considered as an application for search and charged accordingly, provided, however, that no fee for search shall be charged in respect of a document of which a copy is applied for when the names of claiming and executing parties, the nature of the document and the date of registration are shown in application for the copy."

(*Vide* Notification No. Fl. C. 68—Regis. 41-25, dated 12th October 1926).

(4) The Inspector-General of Registration may, in his discretion remit in part the fee leviable under this article when it appears to him that the exaction of full fee would be productive of hardship.

VII. (1) (*a*) Granting certified copies or extracts from Registers, indexes or any documents (Sections 57 and 76) per 100 words or portion of 100 words.—

Re. 0-3-6, whether in English or Kannada.

(*b*) Granting of copy of map or plan.—

Re. 0-9-0, provided that the arrangements for and the cost of making such copies are made and borne by the person who applies for it.

(*c*) Granting copies of documents other than those mentioned above :—

At the rates prescribed in the rules issued by the Chief Court for the grant of copies in the Civil Court.

Note.—(1) Every figure, initial or abbreviation shall count as a word.

(2) Government Officers who may require to search the registers or to take copies of entries for *bona fide* public purposes shall be permitted to do so without payment of any fee.

(3) Copies of documents in languages other than in English or Kannada shall be charged at one anna per 100 words instead of 3 annas if a clerk knowing that language is employed in the Registration Office granting the copy. Also when a copy is printed at the expense of an applicant or when the applicant presents a printed copy of a document already registered and applies for a certified copy of the same, only the portion added in manuscript in the certified copy shall be charged for the ordinary rates of copying, and, in addition, a fixed fee of two annas shall be levied for comparing and certifying each copy.

(4) No charge shall be made for granting copies of reasons for refusal given by a Sub-Registrar.

VII. Powers of Attorney.—

	Rs.	a.	p.
(1) Registering a Power of Attorney ..	5	10	0
(2) Attesting a Special Power of Attorney ..	1	2	0
(3) Attesting a General Power of Attorney ..	2	4	0

Note.—(1) A single fee shall be levied for the attestation of a Power-of-Attorney whatever may be the number of signatories to it provided that all of them appear simultaneously for examination or execution. Where they do not so appear, a separate fee is levied for such set of persons appearing at the same time.

(2) The duplicate or the triplicate of a Power-of-Attorney presented for authentication shall be treated as a separate power and a separate attestation fee shall be levied for it.

IX. For filing translation .... Extra fee Rs. 1-2-0.

Note.—Filing copies of the orders, certificates and instruments referred to in Section 89 ... ... No fee.

X. (1) Issue of commission or attendance at a private residence or Jail.

(*a*) For registration of one or more documents executed by one and the same individual, or (*b*) For the acceptance of registration of one or more documents executed in favour of one and the same individual or for the acceptance for deposit of a Will executed by an individual, or (*c*) For the attestation of one or more Power-of-Attorney executed by one and the same individual. (*d*) For the examination of one and the same individual under Section 33 or 38.	Rs. 11	4 0

Besides ordinary fee and travelling allowance.

(2) For the services of a female if required, extra fee as remuneration to her Rs. 5-10-0.

Note.—(1) Where two or more persons who are parties to the same document and who are entitled to exemption from attending the Registration Office reside together, or when two or more persons who are parties to the same document are confined in a Jail, only one attendance or commission fee shall be charged so far as those persons are concerned. In that event each such person shall be entitled to present for registration or attestation at such attendance any number of documents or Powers-of-Attorney or to admit execution of any number of documents presented for registration or to deposit a Will, without payment of any further attendance fee.

**Note.*—(2) "When in the course of attendance at a private residence a Registering Officer is required to record in respect of the

same instrument the admission of persons not entitled to the concession, the request, may, if possible, be complied with without the levy of any additional fee."

(*Vide* notification No. Fl. 5591—Regis. 6-32-7, dated 17th April 1933).

XI. For proceeding to and returning from a private residence or Jail, travelling allowance shall be allowed, at eight annas per mile to a Registrar and at 4 annas per mile to a Sub-Registrar or other persons deputed to take an examination.

XII. For the safe custody and return of documents.—

For each month or part of a month, during which a registered document is left unclaimed in a Registration Office, after the expiration of one month from the date of registry (to be paid before delivery of the document), four annas and six pies per month for documents of values up to Rs. 100 and nine annas per month for documents of values exceeding Rs. 100 or for documents in which no value is specified, subject to a maximum of Rs. 5-10-0 in any one case.

XIII. (1) For filing copies of memoranda relating to deposit of title-deeds received from Banks under Section 59, Clause (2), of the Transfer of Property Regulation. In cases where property mentioned in such memoranda are situated in more than one taluk or district and in cases where the property is not situated in the area to which Section 59 applies, Government are pleased to appoint the Registrar of Bangalore District as a Special Registrar for registering such memoranda and to exempt them from payment of the fees prescribed in paras 11 and 12 of the rules framed by Government under the Registration Regulation as regards fees payable thereunder.

Note.—Under Sub-Section (2) of Section 59 of the Transfer of Property Regulation, 1918, Government are pleased to extend the provisions of that Sub-Section to the whole of the areas comprised in the cities of Bangalore and Mysore.

(G. O. No. J. 4622—Legis. 43-17-3, dated 11th May 1918).

(2) On all documents registered, if containing more than 300 words, an additional fee at the rate of four annas and six pies per 100 words or fraction of 100 words is charged for the number above 300.

(3) If a document tendered for registration has one or more schedules appended to it, they are charged

for at the above rate according to the aggregate number of words contained in them.

(4) Special rates of fees for the registration of documents executed by or in favour of Agricultural Banks.

	Rs.	a.	p.
(*a*) When the value does not exceed Rs. 100 including schedules	0	9	0
(*b*) Exceeding Rs. 100 but not exceeding Rs. 1,000.	1	2	0
(*c*) ,, 1,000 but not exceeding Rs. 5,000	2	4	0
(*d*) In all other cases	4	8	0
(*e*) Searches	Free or no fee.		
(*f*) Certified copies for 100 words	0	1	6
(*g*) Attesting Power-of-Attorney	0	4	6
(*h*) Private attendence	2	4	0
(*i*) Issue of commission ...	2	4	0
(*j*) Mileage to Registering Officers or others per mile.	0	2	0

(5) Fees for registration, etc., of documents executed by or on behalf of any Co-operative Society for the time being registered under the Co-operative Societies Regulation or by an officer or member of such a society and relating to the business thereof.....half the fee.

(6) Fees for registration, etc., of documents executed by applicants and sureties in connection with loans obtained and arrangements entered into for the supply of machinery, etc., under the rules published with Government Notification No. G. 2146—G.M. 55-12-240. dated 2nd September 1913.

	Rs.	a.	p.
(*a*) When the value does not exceed Rs. 100 including schedule	0	9	0
(*b*) Exceeding Rs. 100 but not exceeding Rs. 1,000	1	2	0
(*c*) ,, 1,000 5,000 ...	2	4	0
(*d*) In all other cases ...	4	8	0
(*e*) Search ...	Free or no fee.		
(*f*) Certified copies (per 100 words) ...	0	1	6
(*g*) Attesting Power-of-Attorney	0	4	6
(*h*) Private attendance	2	4	0
(*i*) Issue of commission ...	2	4	0
(*j*) Mileage to Registering Officers or others per mile ...	0	2	0

(7) For Registration, etc.. of instruments executed by or on behalf of or in favour of, the Mysore Palace. Nil.

(8) Special rates for documents executed by applicants for loans to build and make other improvements for houses in the Mysore City and on those executed by their sureties.

		Rs.	a.	p.
(*a*) When the value does not exceed Rs. 100	...	0	9	0
(*b*) Exceeding Rs. 100 but not exceeding Rs. 1,000	...	1	2	0
(*c*) Search	....	Free.		
(*d*) Certified copies per 100 words	....	0	1	6
(*e*) Attesting Power-of-Attorney	...	0	4	6
(*f*) Private attendance or issue of commission	...	2	4	0
(*g*) Mileage to Registering Officers or others per mile	...	0	2	0

(Notification No. P. 34—Regis. 37-4-3, dated 4th July 1922 No. P. 5552—Regis. 34-19-9, dated 6th January 1923 and Notification No. S.R. 8058—Regis. 27-50-2, dated 31st March 1951).

NOTIFICATION.

No. S.D. 81—R. 51-50-40, Bangalore, dated the 4th April 1951.

In exercise of the powers conferred by Section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (Central Act XXIV of 1946) read with the Government of India, Ministry of Food Notification No. SRO. 703, dated the 4th October 1950 and with the concurrence of the Government of India, His Highness the Maharaja of Mysore is pleased to revise the composition of rations to the several classes of consumers in the State as shown below, with effect from the 1st April 1951.

Scale of Rations per head per day.

Class	Rice ozs.	Wheat ozs.	Millets ozs.	Total ozs.
1. "A" Class... ...	6	3	...	9·0
2. "B" Class (Labour Class).	3	1	6	10·0
3. Heavy Manual Labour	3	1	9	13·0
4. Plantation Labour ...	6	1	2	9·0
5. Staple Wheat Eaters ...	...	9	...	9·0

(Children below eight years of age will be allowed half the above scale of rations.)

By Order of His Highness the Maharaja,

N. PUTTARANGASWAMY,
Secretary to Government,
Food and Agriculture Departments.

Printed by the Director of Printing, Stationery and Publications at the Government Press, Bangalore.

Reg. No. M. 1175

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The Mysore Gazette

(PUBLISHED BY AUTHORITY)

EXTRAORDINARY

BANGALORE, FRIDAY, MAY 11, 1951.

PART IV

Section 2-A.

BILLS, SELECT COMMITTEE REPORTS, IF ANY, THEREON AND ACTS AND ORDINANCES OF MYSORE.

NOTIFICATION.

Order No. L. D. 245—Legis. 19-51-1. Bangalore, dated 11th May 1951.

Ordered that the accompanying Mysore Restriction of Meetings near the Legislative Assembly Act, 1951, which received the assent of His Highness the Maharaja, on the 25th day of April 1951, be published as Act No. XV of 1951, in the *Mysore Gazette*, for general information.

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MYSORE ACT No. XV OF 1951.

THE MYSORE RESTRICTION OF MEETINGS NEAR THE LEGISLATIVE ASSEMBLY ACT, 1951.

(Received the assent of His Highness the Maharaja of Mysore on the 25th day of April 1951.)

An Act to provide for restriction of meetings, assemblies and processions near the State Legislative Assembly.

Preamble.

WHEREAS it is expedient for the undisturbed conduct of business of the State Legislative Assembly to restrict meetings, assemblies and processions of persons near the place of meeting of the Legislative Assembly;

It is hereby enacted as follows:—

Short title, extent and commencement.

1. (1) This Act may be called the Mysore Restriction of Meetings near the Legislative Assembly Act, 1951.

(2) It extends to the whole of the State of Mysore.

(3) It shall come into force at once.

Restriction on meetings, assemblies and processions near place of Legislative Assembly sessions.

2. (1) Notwithstanding anything contained in any law for the time being in force, on any day on which the State Legislative Assembly meets, no person shall convene, or give any notice for convening, or take part in, any meeting, assembly or procession consisting of fifty or more persons, in any street, square or open place within a distance of half a mile from the place of meeting of the State Legislative Assembly for the purpose or on the pretext of considering, preparing or submitting any petition, complaint, remonstrance, declaration or other address to the Rajpramukh or to the State Legislative Assembly for the regulation or alteration of any matters of State:

Provided that nothing in this section shall apply to any meeting, assembly or procession convened or held with the previous permission of the State Government.

(2) If any person contravenes any of the provisions of sub-section (1), he shall be punishable with imprisonment which may extend to six months or with fine or with both.

By Order of His Highness the Maharaja,

N. R. JAYA RAO,
Legal Remembrancer and Secretary to Government, Law Department.

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NOTIFICATION.

Order No. L D. 24—Legis. 20-51-1, Bangalore, dated 11th May 1951.

Ordered that the accompanying Mysore Cinematograph Shows Tax Act, 1951, which received the assent of His Highness the Maharaja, on the 30th day of April 1951, be published as Act No. XVI of 1951, in the *Mysore Gazette* for general information :—

MYSORE ACT No. XVI OF 1951.

THE MYSORE CINEMATOGRAPH SHOWS TAX ACT, 1951.

(Received the assent of His Highness the Maharaja of Mysore on the 30th day of April 1951.)

An Act to provide for the levy of an additional tax on Cinematograph Shows in the State of Mysore.

Preamble.

WHEREAS it is expedient to provide for the levy of an additional tax on cinematograph shows in the State of Mysore ;

It is hereby enacted as follows :—

Short title, extent and commencement.

1. (1) This Act may be called the Mysore Cinematograph Shows Tax Act, 1951.

(2) It extends to the whole of the State of Mysore.

(3) It shall come into force at once.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context,—

(1) " cinematograph show " means any cinematograph exhibition held in any place to which persons are admitted on payment ;

(2) " Government " means the State Government;

(3) " notification " means a notification published in the *Mysore Gazette* ;

(4) "prescribed" means prescribed by rules made under this Act;

(5) "proprietor" in relation to any cinematograph entertainment, includes any person responsible for the management thereof.

Tax on cinematograph entertainments.

3. (1) There shall be charged, levied and paid to the Government, a tax on cinematograph shows, hereinafter referred to as the cinematograph tax, calculated at the following rates, namely :—

Cinematograph shows liable for tax	Rate of tax per show		
	For places with a seating capacity not exceeding 500	For places with a seating capacity exceeding 500 but not exceeding 800	For places with a seating capacity exceeding 800
	Rs.	Rs.	Rs.
(*a*) Shows other than those held with cinematograph apparatus and plant taken from place to place—			
(i) held in the Cities of Bangalore, Mysore and Davangere and in Kolar Gold Fields Sanitary Board area;	5	7	10
(ii) held in the Towns of Kolar, Tumkur, Chitaldrug, Shimoga, Chikmagalur, Hassan and Mandya;	3	5	7
(iii) held in any other area in the State.	2	3	4
(*b*) Shows held with cinematograph apparatus and plant taken from place to place ...	...	...	Rs. 2 per sho

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4. The proprietor of a cinematograph show who fraudulently evades the payment of any cinematograph tax due under this Act shall, on conviction, be liable in respect of each such offence, to a fine which may extend to five hundred rupees, and shall in addition be liable to pay one and one-fourth times the tax which should have been paid. **Penalty for non-payment of tax.**

5. The Government may, by general or special order, exempt any cinematograph show or class of cinematograph shows from payment of the cinematograph tax. **Exemptions.**

6. (1) Any sum due on account of the cinematograph tax, shall be recoverable by the Government as an arrear of land revenue. **Recoveries.**

(2) Any fine imposed under this Act, shall be recovered in the manner provided in the Code of Criminal Procedure, 1898, for the recovery of fines.

7. (1) The Government may, by notification, make rules for the purpose of carrying out the provisions of this Act. **Power to make rules.**

(2) In particular and without prejudice to the generality of the foregoing provision, such rules may provide for the following matters:—

(*a*) the manner of assessment and levy of the cinematograph tax payable by any proprietor for any year or part thereof;

(*b*) the proper maintenance of accounts and submission of returns;

(*c*) the time and manner of payment and collection of the cinematograph tax;

(*d*) the duties and powers of officers appointed for enforcing the provisions of this Act; and

(*e*) the issue of passes by the proprietors of cinematograph Show for the admission of officers who have to perform any duty in connection therewith or any other duty imposed upon them by law.

(3) Any person who acts in contravention of, or fails to comply with, any rule made under sub-section (1), or sub-section (2) shall, on conviction, before a Magistrate be liable in respect of each offence to a fine not exceeding five hundred rupees.

Power of Government to delegate certain powers.

8. The Government may, by notification, delegate all or any of their powers under this Act, except those conferred on them by Section 7 and by this section, to any officer subordinate to the Government.

Application of other Acts not affected.

9. The provisions of this Act are in addition to, and not in derogation of any other Act for the time being in force, relating to the levy of any tax on entertainments and amusements.

By Order of His Highness the Maharaja,

N. R. JAYA RAO,

Legal Remembrancer and
Secretary to Government,
Law Department.

NOTIFICATION.

Order No. L. D. 247—Legis. 21-51-1, Bangalore, dated 11th May 1951.

Ordered that the accompanying Mysore Cultivation of Fallow Lands Act, 1951, which received the assent of His Highness the Maharaja, on the 30th day of April 1951, be published as Act No. XVII of 1951, in the *Mysore Gazette* for general information.

MYSORE ACT NO. XVII OF 1951.

THE MYSORE CULTIVATION OF FALLOW LANDS ACT, 1951.

(Received the assent of His Highness the Maharaja of Mysore on the 30th day of April 1951.)

An Act to make provision for bringing fallow lands under cultivation in the State of Mysore.

WHEREAS it is expedient to make provision for bringing fallow lands under cultivation in the State of Mysore; **Preamble.**

It is hereby enacted as follows:—

1. (1) This Act may be called the Mysore Cultivation of Fallow Lands Act, 1951. **Short title, extent, commencement and duration.**

(2) It extends to the whole of the State of Mysore.

(3) This section shall come into force at once, and the State Government may, from time to time, by notification in the *Mysore Gazette*, apply the other provisions of this Act to the whole or any portion of the State from such date and for such period, if any, as may be specified in the notification and may cancel or modify any such notification.

(4) This Act shall remain in force for a period of five years and upon its expiry, the provisions of section 6 of the Mysore General Clauses Act, 1899, shall be applicable as if it had been repealed by a Mysore Act.

2. In this Act, unless there is anything repugnant in the subject or context,— **Definitions.**

(1) expressions not defined herein shall have the meanings assigned to them respectively in the Mysore Land Revenue Code, 1888;

(2) 'approved crop' means ragi, paddy or jola crop and includes such other crops as the State Government may, by notification in the *Mysore Gazette*, declare to be an approved crop in any area specified in such notification;

(3) 'fallow land' means cultivable land left uncultivated or land recorded as fallow, new or old in the village accounts, and includes land recorded as grass land in consequence of its ceasing to be under cultivation for a period exceeding three years but does not include land recorded as Phut kharab or a tank or embankment or a nalah or a grove or used as a threshing floor;

(4) 'land' means land which is let or occupied for agricultural purposes or for purposes subservient thereto;

(5) 'occupied land' means land held by—

(*i*) a proprietor as a holder or land-holder or superior holder or occupant or registered occupant or *kadim* tenant, or

(*ii*) by a sub-tenant;

(6) 'occupier' means a person who is for the time being in possession of occupied land and is entitled to cultivate it, either by himself, or by his servants or by hired labour.

(7) 'prescribed' means prescribed by rules under this Act."

Cultivation of fallow lands.

3. (1) Subject to the provisions of sub-section (2) every holder of occupied land in excess of—

(*a*) ten acres in the case of wet lands, or

(*b*) fifteen acres in the case of dry lands,

in any revenue year shall, if so required by an order in writing of the Amildar, be liable to cultivate either by himself or through a lessee, in addition to the area cultivated by him in the revenue year immediately preceding, such area as the Amildar may specify, of the fallow land recorded in his name in the village accounts of the said revenue year immediately preceding, and raise an approved crop thereon:

Provided that the State Government may, by notification in the *Mysore Gazette*, increase the acreage specified in clause (*a*) or (*b*) in respect of any area specified in such notification.

(2) For purposes of determining the area of fallow land to be cultivated under the provisions of sub-section (1),

(*a*) an area equal to one-tenth of the extent of the occupied land shall be deducted from the total area of the fallow land of the holder for ordinary grazing requirements of the holder;

(*b*) any fraction of less than half an acre shall not be taken into account.

(3) No order shall be made under the provisions of sub-section (1) unless an enquiry has been held by the Amildar for the purpose. In every enquiry for the said purpose, the Amildar shall, as far as may be, follow the procedure laid down in the Mysore Land Revenue Code, 1888, for conducting summary enquiries.

(4) An appeal shall lie to the Sub-Division Officer concerned from an order of the Amildar under sub-section (1) within fifteen days from the date of communication of the order of the Amildar to the holder of occupied land and the decision of the Sub-Division Officer on such appeal shall be final.

Application for exemption.

4. Any holder of occupied land may, before the expiry of the prescribed period apply to the Amildar for exemption from the provisions of section 3. If the Amildar on such enquiry as he deems fit is satisfied that the land—

(*a*) is needed by the holder for the purposes of grazing his own cattle; or

(*b*) cannot be cultivated by the holder for want of lessees or labourers;

he may grant a certificate of exemption in writing in respect of the whole or part of the area of fallow land required to be cultivated under section 3.

Penalty.

5. The holder of occupied land who does not carry out the directions contained in the order of the Amildar or of the Sub-Division Officer on appeal therefrom under section 3 shall be liable to pay such penalty not exceeding one year's assessment on the land in question as may be determined by the Amildar, unless the holder has obtained a certificate of exemption under the provisions of section 4 or has made an application as required by clause (*b*) of sub-section (1) of section 6, and the said sum shall be recoverable as an arrear of land revenue.

Power of Amildar to lease fallow lands.

6. (1) If any holder or occupier does not make suitable arrangements for the cultivation of the fallow land required to be cultivated under sub-section (1) of section 3,

(*a*) before the expiry of fifteen days from the date of order of the Amildar; and if the Amildar does not grant a certificate of exemption under section 4; or

(*b*) before fifteen days from the date of the order of the Amildar, an application in writing is made by a holder or occupier requesting the Amildar to arrange for a suitable lessee for the fallow land required to be cultivated by him under section 3;

the Amildar may let out for cultivation the whole or part of the area of the fallow land of such holder or occupier required to be cultivated under section 3 to any suitable lessee for a period not exceeding five years on the condition that the lessee shall pay as rent one-third of the produce in the case of wet lands and one-fourth in the case of dry lands and in any case not being less than the bare assessment or on such other terms as can be secured.

(2) Every lease granted under the provisions of sub-section (1) shall be executed by the Amildar on behalf of the holder or the occupier, as the case may be, and the lessee shall be liable to pay the rent specified in sub-section (1) to the person on whose behalf the lease is executed at the time and in the manner provided for in the lease.

(3) Subject to the provisions of section 7 every such lease shall be valid and take effect according to its terms, notwithstanding anything to the contrary contained in any rule of law, statute or enactment for the time being in force.

Cancellation of the lease.

7. Where the person to whom a lease has been granted under section 6 fails for any reason to cultivate the land so leased to him or uses the land for a purpose other than the purpose for which it was leased out to him, the Amildar may cancel the lease and grant a fresh lease to any other person on such terms and conditions as he thinks fit and the person whose lease is cancelled under this section shall forfeit all rights under his lease and

shall also be liable to pay such sum by way of damages as may be determined by the Amildar in each case. The sum so determined as damages shall be recoverable as an arrear of land revenue.

Service of notices.

8. Every notice under this Act shall be served in the manner provided in section 199 of the Mysore Land Revenue Code, 1888.

Persons acting under the Act to be deemed public servants.

9. All persons exercising any power under any of the provisions of this Act shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code, 1860.

Bar of jurisdiction.

10. (1) No civil court shall have jurisdiction to deal with any question which is by or under this Act required to be dealt with by the Amildar.

(2) No order of the Amildar under this Act shall be questioned in any civil or criminal court.

Indemnity.

11. No suit, prosecution or other legal proceeding shall lie against any person in respect of anything which is in good faith done or intended to be done under this Act.

Rules.

12. The State Government may make such rules as may be found necessary from time to time for carrying out the purposes of this Act and rules so made shall be published in the *Mysore Gazette* and upon such publication shall have effect as if enacted in this Act.

By Order of His Highness the Maharaja,

N. R. JAYA RAO,
Lgeal Remembrancer and
Secretary to Government,
Law Department.

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NOTIFICATION.

Order No. L. D. 248—Legis. 22-51-1, Bangalore, dated 11th May 1951.

Ordered that the accompanying Mysore Health Cess Act, 1951, which received the assent of His Highness the Maharaja, on the 30th day of April 1951, be published as Act No. XVIII of 1951, in the *Mysore Gazette* for general information.

MYSORE ACT No. XVIII OF 1951.

THE MYSORE HEALTH CESS ACT, 1951.

(*Received the assent of His Highness the Maharaja of Mysore on the 30th day of April 1951*).

An Act to provide for the levy of a health cess on certain items of Revenue.

WHEREAS it is expedient to provide for the levy of a health cess on certain items of revenue; Preamble.

It is hereby enacted as follows:—

1. (1) This Act may be called the Mysore Health Cess Act, 1951. Short title, extent and commencement.

(2) It extends to the whole of the State of Mysore.

(3) It shall come into force at once.

2. In this Act— Definitions.

(1) "education cess" means the education cess leviable under the Mysore Elementary Education Act, 1941 (Mysore Act VI of 1941);

(2) "Government" means the State Government; and

(3) "notification" means a notification published in the *Mysore Gazette*.

3. (1) There shall be levied and collected a health cess at the rate of six pies in the rupee on all items of land revenue and at such rate not exceeding one anna in the rupee as may be specified by Government by notification on all other items of revenue on which education cess is leviable. Levy of Health Cess

(2) The Government may by notification levy health cess at such rate not exceeding one anna in the rupee as may be specified in the said notification on such other items of revenue as they deem fit.

Mode of recovery of the cess.

4. Any sum due on account of the health cess levied under section 3 shall be recoverable in such manner as the Government may prescribe by rules.

Levy of cess under other Acts not affected.

5. Nothing in this Act shall affect the operation of the provisions of any other Act and the levy of the health cess under this Act is in addition to and not in lieu of any other duty or cess that may be leviable under any other law for the time being in force.

Power to make rules.

6. The Government may, by notification, make rules for carrying out the purposes of this Act.

By Order of His Highness the Maharaja,

N. R. JAYA RAO,
Legal Remembrancer and
Secretary to Government,
Law Department.

Printed by the Director of Printing, Stationery and Publications at the Government Press, Bangalore

Reg. No. M. 1175.

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The Mysore Gazette

(PUBLISHED BY AUTHORITY)

Vol. 86] BANGALORE, THURSDAY, APRIL 5, 1951. [No. 14

PART IV

Section I-B

ACTS OF PARLIAMENT AND ORDINANCES OF THE PRESIDENT WHICH APPLY TO MYSORE.

NOTIFICATION.

No. L.D. 4—Legis. 2-50-70, dated Bangalore, 2nd April 1951.

Ordered that the accompanying Taxation on Income (Investigation Commission), Amendment Act, 1951 (Central Act No. XI of 1951) published in the *Gazette of India*, Part II, Section 1, dated the 24th March 1951, be republished in the *Mysore Gazette*, for general information.

Received assent on 21st March 1951.

TAXATION ON INCOME (INVESTIGATION COMMISSION) AMENDMENT ACT, 1951 (XI OF 1951).

AN

ACT

further to amend the Taxation on Income (Investigation Commission) Act, 1947.

BE it enacted by Parliament as follows :—

1. **Short title.**—This Act may be called the Taxation on Income (Investigation Commission) Amendment Act, 1951.

2. Amendment of section 4, Act XXX of 1947.—In sub-section (3) of section 4 of the Taxation on Income (Investigation Commission) Act, 1947, for the words and figures "may extend its term of appointment for any period up to the 31st day of March 1951" the words "may if it thinks fit, extend its term of appointment from time to time and when the Central Government at any time extends the term of appointment of the Commission, it shall cause a copy of the order of extension to be laid before Parliament as soon as may be after it is made" shall be substituted.

By Order of His Highness the Maharaja,

N. R. JAYA RAO,
Legal Remembrancer and
Secretary to Government,
Law Department.

Printed by the Director of Printing, Stationery and Publications at the Government Press, Bangalore.

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Section 1-C.

NOTIFICATIONS, RULES, ORDERS, Etc., ISSUED UNDER CENTRAL ACTS AND ORDINANCES WHICH APPLY TO MYSORE.

NOTIFICATION.

No. L.D. 3503—Legis. 4-50-108, dated Bangalore, 21st March 1951.

Ordered that the accompanying Notification No. S.R.O. 335A, dated the 8th March 1951, of the Ministry of Commerce and Industry publishing the Newsprint Control Order, 1951, published in the *Gazette of India*, Part II, Section 3, dated the 8th March 1951, be republished in the *Mysore Gazette*, for general information.

By Order of His Highness the Maharaja,

N. R. JAYA RAO,

Legal Remembrancer and
Secretary to Government,
Law Department.

MINISTRY OF COMMERCE AND INDUSTRY.

NOTIFICATION

NEWSPRINT CONTROL ORDER, 1951.

New Delhi, the 8th March 1951.

S.R.O. 335A.—In exercise of the powers conferred by Section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), the Central Government hereby makes the following Order, namely :—

THE NEWSPRINT CONTROL ORDER, 1951.

1. *Short title, extent and commencement.*—(1) This Order may be called the Newsprint Control Order, 1951.

(2) It extends to the whole of India, except the State of Jammu and Kashmir.

(3) It shall come into force on the 12th March 1951.

2. *Definitions.*—In this Order—

(*a*) "newspaper" means any periodical publication printed on newsprint appearing at regular intervals of not more than one month;

(*b*) "newsprint" means white printing paper in reels or in sheets, the fibre content of which comprises not less than 70 per cent of mechanical wood pulp, and which weighs not less than 40 grammes per square metre;

(*c*) "daily newspaper" means a newspaper which is published on not less than 6 days in a week and includes any Supplement or Special edition of such newspaper, whether or not such supplement or special edition is separately registered under the Press and Registration of Books Act, 1867 (XXV of 1867);

Explanation.—The expression "special edition" includes a weekly edition whether appearing under the same title as the daily newspaper or a different title.

(*d*) "weekly newspaper" means a newspaper published once a week;

(*e*) "week" means a period of seven consecutive days beginning with a Monday;

(*f*) "schedule" means a schedule to this Order.

3. *Restriction on use of newsprint.*—No person shall use newsprint for any purpose other than that of printing a newspaper, except under a General or Special permission in writing granted by the Central Government or by an officer authorised by the Central Government in this behalf.

4. *Maximum size of page of newspaper.*—No person shall publish any daily or weekly newspaper any page of which, including margins and other spaces clear of print, exceeds 432 square inches in area.

5. *Weekly quota of pages.*—(1) Subject to the provisions of clause 6, the total number of pages, in all the issues of a daily newspaper published during a week, or in a weekly newspaper, shall not exceed the quota assigned in schedule I to a newspaper of that class and price.

(2) For the purposes of this clause, a daily and a weekly newspaper shall be classified as Class A, Class B, Class C, Class D or Class E according as the area of the page of the newspaper, including margins and other spaces clear of print is 432 square inches or less than 432 square inches but not less than 372 square inches, less than 372 square inches but not less than 200 square inches, less than 200 square inches but not less than 150 square inches, less than 150 square inches but not less than 75 square inches, or is less than 75 square inches.

Explanation.—Where the page of a newspaper varies in size from time to time, the area of the page of the newspaper for the purpose of this clause shall be the area of the largest page.

6. *Larger quota to daily newspaper under certain conditions.*—Notwithstanding anything contained in clause 5, the proprietor of a daily newspaper classified as Class A and priced at one anna shall be entitled to publish once a week a higher priced issue and thereupon the weekly quota of such newspaper shall be—

(*a*) in the case of a daily newspaper published on 6 days, the average quota of such newspaper for 5 days *plus* the number of pages permitted to a weekly

news paper of the price equivalent to the price of the higher priced issue of the daily newspaper; and

(*b*) in the case of a daily newspaper published on 7 days, the average quota of such newspaper for 6 days *plus* the number of pages permitted to a weekly newspaper of the price equivalent to the price of the higher priced issue of the daily newspaper.

Explanation.—In calculating the weekly quota under this clause a fraction of less than one shall be disregarded.

Illustration I.—If a one-anna newspaper, which is published on 6 days, brings out a 2-anna issue on any one of those 6 days, its weekly quota would then be 22×5/6 or 18·3 *plus* 8 (which is the number of pages permitted to a 2-anna weekly newspaper), the total being 26.

Illustration II.—If a one-anna newspaper, which is published on 7 days, brings out a 2-anna issue on any one of those 7 days, its weekly quota would be 26×6/7 or 22·23 *plus* 8 (which is the number of pages permitted to a 2-anna weekly newspaper) the total being 30 pages.

7. *Determination of disputes.*—If any dispute arises as to the classification of a newspaper under clause 5, it shall be referred to the Central Government and the decision of the Central Government thereon shall be final.

8. *Power to require sale of newsprint.*—The Central Government, if it considers it necessary or expedient to do so, may direct any person, other than the proprietor of a newspaper, to sell or otherwise transfer any newsprint in his possession or under his control to such other person as may be specified in the direction, and thereupon the first named person shall comply with the direction.

9. *Submission of returns by importers of newsprint.*—The proprietor of a newspaper or any other person who imports or otherwise acquires newsprint from outside India shall, within seven days of such import or acquisition, send an intimation in writing to the Secretary to the Government of India, Ministry of Commerce and Industry, New Delhi, giving full details as to the quantity of, and the source from which, such newsprint was so imported or acquired.

10. *Submission of monthly returns.*—Every proprietor of a newspaper and every person carrying on any undertaking which involves the sale, storage or distribution of newsprint shall submit to the Secretary to the Government of India, Ministry of Commerce and Industry, New Delhi, on or before the 7th day of every month a true return in the form specified in Schedule II, of the quantity of newsprint held, acquired, consumed or otherwise disposed of by him during the preceding calendar month.

11. *Power to relax any provision of this Order.*—The Central Government may, in any special case, authorise in writing the doing of any act which would otherwise be prohibited by this Order.

12. *Repeal.*—The Newsprint Control Order, 1950, is hereby repealed:

Provided that anything done or any action taken in the exercise of any power conferred by the said order shall be deemed to have been done or taken in the exercise of the powers conferred by this order as if this order was in force on the day on which such thing was done or action was taken.

SCHEDULE I.

(See clause 5).

Quota of pages for one week in the case of daily and weekly newspapers.—

Daily newspaper published on 7 days in a week.

Price in annas	Class A (432 sq. inches or less than 432 sq. inches but not less than 372 sq. inches).	Class B (less than 372 sq. inches but not less than 200 sq. inches).	Class C (less than 200 sq. inches but not less than 150 sq. inches.)	Class D (less than 150 sq. inches but not less than 75 sq. inches).	Class E (less than 75 sq. inches).
1 ...	26	40	52	78	156
1½ ...	38	56	76	114	228
2 ...	50	74	100	150	300
2½ ...	60	90	120	180	360

Daily newspaper published on 6 days in a week.

Price in annas	Class A	Class B	Class C	Class D	Class E
½ ...	12	18	24	36	72
1 ...	22	34	44	66	132
1½ ...	32	48	64	96	192
2 ...	42	64	84	126	252
2½ ...	50	76	100	150	300

Weekly newspapers.

Price in annas	Class A	Class B	Class C	Class D	Class E
1 ...	4	6	8	12	24
1½ ...	6	10	12	18	36
2 ...	8	12	16	24	48
2½ ...	10	16	20	30	60
3 ...	12	18	24	36	72
4 ...	16	24	32	48	96

SCHEDULE II

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(See Clause 10)

FORM

THE NEWSPRINT CONTROL ORDER, 1951.

(Clause 9)

Return for the month of.....195 .

Name.....

Full address.....

*Class of newspaper..... [See clause 5 (2)]

I/We declare that the following is a true account of the stock of newsprint held, acquired, consumed and otherwise disposed of by me/us during the month of .....195 .

	Newsprint in reels		Newsprint in sheets	
	No. of reels	Weight in tons	No. of reams	Weight in tons
1. Amount of stock in hand at the end of the last preceding month				
2. Amount of stock acquired during the month including the name and address of person or persons from whom acquired.				
3. Total of items 1 and 2.				
*4. Amount of stock consumed during the month in the production of newspaper.				
5. Amount of stock otherwise disposed of during the month including the name and address of person or persons to whom disposed of.				
*6. Total of items 4 and 5.				
7. Amount under item 3 less amount under item 6, being amount in stock at the end of the month.				

*Not to be filled in by persons other than the proprietors of newspapers.

Dated.....195 .

Signature.....

[No. L-I-N-1/50.]

S. BHOOTHALINGAM, *Joint Secretary.*

NOTIFICATION.

No. L.D. 3504—Legis. 4 50-109, dated Bangalore, 21st March 1951.

Ordered that the accompanying Notification No. S.R.O. 344, dated 10th March 1951, of the Ministry of Commerce and Industry amending the Newsprint Control Order, 1951, published in the *Gazette of India*, Part II, Section 3, dated the 10th March 1951, be republished in the *Mysore Gazette*, for general information.

By Order of His Highness the Maharaja,

N. R. JAYA RAO,

Legal Remembrancer and
Secretary to Government,
Law Department.

MINISTRY OF COMMERCE AND INDUSTRY.

NOTIFICATION.

New Delhi, the 10th March 1951.

S.R.O. 344.—In exercise of the powers conferred by section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), the Central Government hereby directs that the following amendment shall be made in the Newsprint Control Order, 1951, namely :—

In sub-clause (3) of clause 1 for the words and figures "12th March, 1951." the words and figures " 2nd April, 1951." shall be substituted.

[No. LI-N-1/51.]

S. BHOOTHALINGAM, *Jt. Secy.*

NOTIFICATION.

No. C. 1585—Co. 41-50-2, Bangalore, dated 9th March 1951.

Ordered that the undermentioned Notifications issued by the Government of India, Ministry of Commerce and Industry be republished in the *Mysore Gazette*, for general information :—

Nos.

1. 13 (84) T. P. (T) 49 dated 13-1-1951.
2. S. R. O. 391 dated 17th August 1950.
3. S. R. O. 846 dated 4th November 1950.
4. 67-C. W. (25)—48 dated 26-3-1949.
5. 67-C. W. (25A)—48 dated 26-3-1949.
6. 27—I-T. (2) 48 (II) dated 26-3-1949.
7. 32—6-Tex. 2—50 dated 22-4-1950.
8. 32—6-Tex. 2—50 dated 18-8-1950.
9. 5—5 Tex (2) 50 dated 22-7-1950.

By Order of His Highness the Maharaja,

N. PUTTARANGASWAMY,
Secretary to Government,
Food and Agriculture Departments

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ANNEXURE I

GOVERNMENT OF INDIA.

MINISTRY OF COMMERCE.

(NOTIFICATION)

(EXPORT AND TRADE CONTROL).

NEW DELHI,

the 13th January 1951.

13 (84)-TP (T)—49.—In exercise of the powers conferred by Section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), the Government hereby directs that the following amendments shall be made in the Cotton Textiles (Export Control) Order, 1949, namely :—

In the said Order :—

I. In sub-clause (ii) of clause I, for the words and letter 'except Part B States' the words 'except the State of Jammu and Kashmir' shall be substituted.

.....—3.

2. After clause 1, the following clause shall be inserted, namely :—

"1A. All notifications and orders issued or made under this Order which immediately before 13th January, 1951 were in force in certain parts of India are hereby extended to and shall be in force in the rest of India except the State of Jammu and Kashmir ".

3. Clause II shall be renumbered as sub-clause (i) of that clause and after the sub-clause as so renumbered the following sub-clause shall be inserted, namely :—

" (ii) Any order corresponding to this order and in force in any part B State immediately before 13th January, 1951 is hereby repealed.".

A. P. MATHUR,

Under Secretary to the Government of India.

ANNEXURE II.

MINISTRY OF FOOD.

NEW DELHI,

the 17th August, 1950.

S. R. O. 391.—In exercise of the powers conferred by sub-section (2) of Section I of the essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), the Central Government is pleased to appoint the 17th day of August, 1950 as the date on which the said Act shall come into force in all the Part B States to which it extends.

(C. G.–603 (38)–XIV)

K. R. DAMLE,

Joint Secretary.

ANNEXURE III.

MINISTRY OF INDUSTRY AND SUPPLY.

NEW DELHI,
the 4th November 1950.

S.R.O. 846.—In exercise of the powers conferred by Section 4 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), the Central Government is pleased to direct that the powers conferred on it by sub-section (1) of Section 3 of the said Act to provide for the matters specified in clauses (c), (d), (e), (f), (g), (h), (i) and (j) of sub-section (2) thereof shall, in relation to cotton textiles, be exercisable also by the Government of any Part B State, subject to the condition that no order made by such Government in the exercise of the aforesaid powers shall have effect in so far as it is repugnant to any order made under the said sub-section (1) by the Central Government.

(No. 9 (12)-Tex. 1—50).

B. K. KAUL,
Deputy Secretary.

GOVERNMENT OF INDIA.

MINISTRY OF COMMERCE.

EXPORT TRADE CONTROL.

NEW DELHI,
the 26th March 1949.

No. 67-C. W. (25)—48. In exercise of the powers conferred by Section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946) the Central Government is pleased to make the following order, namely :—

1. (i) This Order may be called the Cotton Textiles (Export Control) Order, 1949.

(ii) It extends to the whole of India except the State of Jammu and Kashmir. (a)

(iii) It shall come into force at once.

1-A. All notifications and orders issued or made under this Order which immediately before 13th January, 1951 were in force in certain parts of India are hereby extended to and shall be in force in the rest of India except the State of Jammu and Kashmir. (b)

2. In this Order unless there is anything repugnant in the subject or context :—

(*a*) "export" means to take out of any Province in India by land, air or water to any place outside India. (c)

(a) Instead of the words "all the provinces in India", the words "whole of India except part 'B' States" were substituted by the Ministry of Commerce Notification No. 13 (84)-TP(T)—49 dated 12th August, 1950 and the words "Except part 'B' States" deleted and the words "except the State of Jammu and Kashmir" added by the Ministry of Commerce Notification No. 13 (84) T. P. (T.)—49, dated 13th January, 1951.

(b) Added by the Ministry of Commerce Notification No. 13 (84) T.P (T.)—49 dated 13th January, 1951.

(c) The words "other than a place in Pakistan" inserted by Ministry of Commerce Notification No. 67 C.W. (25)—48, dated 18th June 1949, deleted by that Ministry Notification No. 67-C. W. (25)—48, dated 30th June, 1949.

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(*b*) "Export Trade Controller" means an Export Trade Controller appointed by the Central Government and includes any other officer authorised by the Central Government to perform all or any of the functions of an Export Trade Controller under this Order;

(*c*) "exporter" means a person holding a valid export license issued by or under the orders of an Export Trade Controller authorising him to export cloth or yarn;

(*d*) "carrier" includes any person engaged in the business of transporting property from any Province in India to a place outside India by land, air or water; (d)

(*e*) "cloth", "yarn", "dealer", "manufacturer" "producer" and "processor", shall have the meanings respectively assigned to them in the Cotton Textiles (Control) Order, 1948;

(*f*) "Textile Commissioner" means the Textile Commissioner, the Additional Textile Commissioner or the Joint Textile Commissioner appointed by the Central Government and includes any officer authorised by such Textile Commissioner to exercise all or any of the powers of the Textile Commissioner under this Order; (e)

3. Save in accordance with the permission of the Textile Commissioner and subject to such conditions as he may impose as to selling price the markings to be made or otherwise, no person other than a producer shall sell, agree to sell or store for sale to any person any cloth or yarn manufactured for export. (f)

4. No person shall save in accordance with the general or special permission of the Textile Commissioner export, sell or agree to sell for export cloth or yarn which has been marked with prices. (g)

5. (i) The Central Government may by notification in the official Gazette direct that, from such date as may be specified in the notification all cloth or yarn exported or intended for export and the packing thereof shall conform to such minimum standard or specifications and shall bear such markings made at such time and in such manner as may be specified in the notification; and thereupon no person shall sell or otherwise dispose of and no person shall by or otherwise acquire for export any cloth or yarn which does not conform to these directions.

Provided that the Central Government or the Textile Commissioner may by general or special order exempt any cloth or yarn or any class of cloth or yarn from the provisions of this sub-clause.

(ii) The Textile Commissioner may with a view to ascertain the quality or prices of cloth or yarn intended for export or with a view to securing compliance with sub-clause (i). (h)

(*a*) direct any person to give any information or produce any document in his possession with respect to any business in cloth or yarn carried on by that or any other person;

Page 1.

(d) Original Sub-clause (e) and sub-clause (h) deleted by Ministry of Commerce Notification No. 13 (7)-T. P. (T.)—50, dated 30th June, 1950.

(e) The words "selling price" deleted by Ministry of Commerce Notification No. 13 (7) T. P. (T.)—50 dated 16th February 1950, and inserted by the Ministry of Commerce Notification No. 13 (7)-T. P. (T)—50, dated 25th March, 1950.

(f) The word "manufactured" inserted by Ministry of Commerce Notification No. 13 (29)-T. P. (T.)—49, dated 12th November, 1949.

Page 2.

(g) Clauses 5 and 8 deleted by Ministry of Commerce Notification No. 13 (7)-T. P. (T.)—50 dated 16th February, 1950.

(h) As substituted by the Ministry of Commerce Notification No. 13 (90)TP (T)—50 dated 7th October, 1950.

(*b*) direct any manufacturer or exporter to furnish returns in respect of cloth or yarn sold by him for export and the prices charged therefor;

(*c*) inspect or cause to be inspected any cloth or yarn;

(*d*) direct any manufacturer or exporter to open any bale or package of cloth or yarn intended for export for the purpose of inspection;

(*e*) enter and search or *authorise* any person to enter and search any premises where cloth or yarn is manufactured or stored;

(*f*) enter and search or *authorise* any person to enter and search any premises, vehicles, vessels, or aircraft in which he has reason to believe any cloth or yarn intended for export is stored or carried;

(*g*) direct any manufacturer or exporter to furnish samples of any cloth, or yarn, such samples, in the case of cloth, being of dimensions of 6″ × 6″ and in the case of yarn, being not less than a hank;

(*h*) seize, or cause to be seized, any cloth in respect of which he has reason to believe that a contravention of sub-clause (i) has been committed.

6. No cloth or yarn shall be exported except by, or through the agency an exporter.

7. Any Export Trade Controller may with a view to securing compliance with this Order—

(*a*) require any person to give any information or produce any document in his possession with respect to any business carried on by that or any other person;

(*b*) require any manufacturer or dealer to furnish returns in respect of cloth or yarn sold by him for export; (A)

(*c*) inspect or cause to be inspected any cloth or yarn sold or intended to be sold for export;

(*d*) seize or cause to be seized any cloth or yarn in respect of which he has reason to believe that a contravention of this order has been committed.

8. No person shall refuse to give any information, produce any document or furnish any sample or return lawfully demanded from him under this Order or to comply with any other direction given under the Order. (B)

9. Every carrier by sea or air shall at the request of an exporter furnish him with a certificate showing the quantity of cloth or yarn contained in the consignment exported by him or through his agency, the name or other identifying particulars of the vessel or aircraft in which the consignment was exported and the date of such export.

10. A court trying any contravention of this Order may without prejudice to any other sentence which it may pass direct that any cloth or yarn in respect of which it is satisfied that such contravention has occurred shall be forfeited to the Central Government.

11. (i) The Cloth and Yarn (Export Control) Order, 1945 is hereby repealed; provided that anything done or deemed to have been done under any provision of the said Order shall be deemed to have been done under the corresponding provision of this Order, and any reference in any instrument to any provision of the said Order or any notifications issued thereunder shall be deemed to be a reference to the corresponding provision of this Order or any notification issued thereunder.

(ii) Any order corresponding to this Order and in force in any Part B State immediately before 13th January, 1951 is hereby repealed. (C)

(A) The words "and prices charged therefor" deleted by Ministry of Commerce Notification No. 13 (7)-TP (T)—50, dated 16th February 1950.

(B) Inserted by the Ministry of Commerce Notification No. 13 (90)-TP (T)—50, dated 7th October 1950.

(C) Inserted by the Ministry of Commerce Notification No. 13 (84)-TP (T)—49, dated 13th January, 1951.

MINISTRY OF COMMERCE

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EXPORT TRADE CONTROL

NEW DELHI,

the 26th March, 1949.

No. 67-C.W. (25 A)—48. In exercise of the powers conferred by sub-clause (i) of clause 6 of the Cotton Textiles (Export Contol) Order, 1949, and in supersession of the notification of the Government of India in the Department of Commerce No. 67-CW (15 B) 3—45, dated the 22nd June, 1946, the Central Government is pleased to specify herein the markings to be made, and the time and manner of making them, on cloth or yarn intended for export and packed by any manufacturer or contracted by him for delivery on or after the 15th April, 1949.

2. *Cloth.*—(1) The markings to be made on such cloth shall be:—

(i) the words " For Export Only ";

(ii) the Texmark and the manufacturer's distinguishing number as provided by the Notification of the Textile Commissioner No. T.C. (6) 1—44, dated the 19th February, 1944. (A)

(iii) the width of the cloth;

(iv) in the case of cloth of the kind specified in column 1 of the table below, the marking specified in corresponding entry in column 2 thereof.

THE TABLE.

Kind of cloth	*Marking.*
(1) Where the count of warp yarn employed is 17s or finer but does not exceed 35s or where such count exceeds 35s but the count of weft yarn employed is 37s or less.	Medium.
(2) Where the count of warp yarn employed exceeds 35s but is less than 48s and the count of weft yarn exceeds 37s.	Fine.
(3) Where the count of warp yarn employed is 48s or finer and the count of weft yarn exceeds 37s.	Fine (Super).

(v) the actual counts of the warp and the weft yarn employed, preceded by the words " warp " and " weft " respectively.

(vi) the month and year of packing.

(2) The markings shall be made on such piece of cloth at a distance of not more than " eighteen inches " from the nearest end: provided that in the case of bed spreads, table cloths or furnishing fabrics such markings shall be made on a piece of cloth securely sewn to the item or piece. (B)

(3) The markings other than those referred to in item (ii) in sub-paragraph (1) shall be made in legible letters and figures not less than $\frac{1}{4}$" in height. (C)

(4) Notwithstanding anything contained in sub-paragraphs (1), (2) and (3) above, in the case, of towels, handkerchiefs, dusters and napkins, the following mark

---

(A) Sub-clause (ii) regarding stamping of Serial No. deleted by Ministry of Commerce Notification No. 13 (42)-TP (T)—50, dated 15th July 1950.

(B) The words " one yard " changed to " eighteen inches " by Ministry of Commerce Notification No. 13 (42)-TP (T)—50, dated 15th July 1950.

(C) Amended by Ministry of Commerce Notification No. 13 (42)-TP (T)—50, dated 15th July 1950.

ings alone in legible letters and figures shall be made on a paper label or on a piece of cloth securely attached to each item, namely :— (D)

(a) The words "For Export Only";
(b) The manufacturers' distinguishing number preceded by the lettsrs "TN";
(c) Month and year of packing.

(5) Notwithstanding anything contained in sub-paragraphs (1), (2) and (3) above in the case of pieces of cloth less than three yards in length other than towels' handkerchiefs, dusters and napkins, the following markings alone shall be made in legible letters and figures not less than $\frac{1}{4}''$ in height, namely :—

(a) The words "For Export Only".
(b) The manufacturer's distinguishing number preceded by the letters "TN".
(c) Month and year of packing.

3. *Yarn.*—(1) The markings to be made on such yarn shall be :—

(i) the words "For Export Only".
(ii) the Texmark and the manufacturer's distinguishing number as provided by the Notification of the Textile Commissioner No. T. C. (6) 1—44, dated 19th February, 1944.
(iii) the count of the yarn;
(iv) the cotton from which it is made (whether Indian or Foreign);
(v) whether single or folded;
(vi) whether carded or combed;
(vii) whether processed;
(viii) month and year of packing.

(2) The markings shall be made on the wrapper of each bundle of yarn or on a label attached thereto.

(3) The markings other than that specified in item (ii) of sub-paragraph (1) shall be in letters and figures not less than $\frac{1}{2}''$ in height.

(4) The markings specified herein shall be made before the cloth or yarn is packed or delivered by the producer.

(5) If any cloth or yarn sold for export is thereafter subjected to any ancilliary process such as bleaching, dyeing, printing, calendering or mercerising, the markings, other than the Texmark, as provided in paragraph 2 or paragraph 3 as the case may be, shall be made thereon before it is packed or delivered, provided that— (E)

(i) the Texmark and distinguishing number of the person carrying out the processing shall be marked thereon in addition to the distinguishing number of the producer of the basic cloth or yarn,

(ii) the width to be stamped on the processed cloth shall be the actual width of the cloth as processed

(iii) the month and year of packing to be stamped on the processed cloth shall be the actual month and year of packing of the processed cloth.

(6) Nothing in this notification shall apply in relation to—

(a) Handspun yarn,
(b) Handloom cloth,
(c) Pearl cord,
(d) Sewing thread,
(e) Embroidery thread,
(f) Cotton string,
(g) Cotton twine,

(D) Sub-clause (4) and sub-clause (5) inserted by the Ministry of Commerce Notification No. 13 (42)-TP (T)—50, dated 15th July 1950.

(E) Paragraph 5 as substituted by Ministry of Commerce Notification No. 13 (42)-TP (T)—50, dated 15th July 1950.

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(*h*) Hard waste, *i.e.*, categories of yarn particularly described below :—

(1) Grey sized long ends.
(2) Grey unsized long ends.
(3) Coloured unsized long ends.
(4) Coloured sized long ends.
(5) Coloured sized short ends.
(6) Grey unsized short ends.
(7) Grey sized short ends.
(8) Coloured unsized short ends.
(9) Dirty beam ends.
(10) Warping hard waste.
(11) Bleached yarn waste.
(12) Coloured yarn waste.
(13) Coloured mixed yarn waste.
(14) Winding hard waste.
(15) Winding hard waste dirty.
(16) Reeling hard waste.
(17) Bobbin cut waste.
(18) Bonda pincer waste.
(19) Weaving sweeping.
(20) Oily hard waste.
(21) Pulled out and broken cops.

(*i*) Single cotton yarn of counts below is manufactured from 100 per cent waste.

(*j*) Any piece of cloth, other than a handkerchief, napkin or towel which —

(i) does not exceed 72″ in length and 9″ in width at any point in the direction at right angles to the longest length; (F)

or (ii) has an area not exceeding 6½ square feet and does not exceed 43″ at the widest point in any direction.

(*k*) Cotton Webbing.
(*l*) Cotton Belting.
(*m*) Tape including tape newar.
(*n*) Bias bindings not exceeding 2″ in width.
(*o*) Surgical dressings.
(*p*) Sanitary Towels.
(*q*) Tabular bandings.
(*r*) Lace and other edgings, trimmings and borders, not exceeding 6″ in width.
(*s*) Cloth produced by a producer, having no spinning plant provided it is marked with the Texmark and manufacturer's distinguishing number and the month and year of packing as required by the Textile Commissioner's Notification No. T.C. (6)-1—44, dated the 19th February, 1944. (G)
(*t*) Tarpaulins made of Cotton Jute Union Cloth. (H)
(*u*) Cloth and yarn sold by the Government of India for export outside India and duly stamped with the markings prescribed for such cloth in the Textile Commissioner's Notification No. 9 (9)-Tex. 1—49, (i), dated the 6th July, 1950.
(*v*) Cotton bed-spreads handprinted by a member of any Processors' Association at Farrukhabad and stamped with any of the three texmark, distinguishing numbers, 1330, 1335 and 1724 together with any sub-number and the month and year of packing by the processors. (I)

(F) Inserted by Ministry of Commerce Notification No. 67-CW (25-A)—48, dated 25th June 1949.
(G) Inserted by Ministry of Commerce Notification No. 67-CW (25-A)—48, dated 16th July 1949.
(H) Inserted by Ministry of Commerce Notification No. 13 (55)-TP (T)—50, dated 24th June 1950 and as amended by the Notification No. 13 (55)-TP (T)—50, dated 12th August 1950.
(I) Inserted by Ministry of Commerce Notification No. 13 (55)-TP (T)—50, dated 9th September 1950.

MINISTRY OF INDUSTRY AND SUPPLY

NOTIFICATION

Bombay, the 26th March 1949.

No. 27/1-T (2)/ 48 (ii).—In pursuance of sub-clause (g) of clause 2 of the Cotton Textiles (Export Control) Order, 1949, I hereby, authorise each of the officers specfied below to exercise the powers of the Textile Commissioner under clauses 3, 4, 5 and 6 of the Cotton Textiles (Export Control) Order, 1949 :—

1. Mr. V. M. Srikumaran, Deputy Assistant Director, Office of the Textile Commissioner, Bombay.

2. Mr. S. R. Ramakrishnan, Deputy Assistant Director, Office of the Textile Commissioner, Bombay.

T. P. BARAT,
Textile Commissioner.

MINISTRY OF INDUSTRY AND SUPPLY

NOTIFICATION

Bombay, the 22nd April 1950

No. 32/6 Tex. 2/50.—In pursuance of sub-clause (f) of Clause 2 of the Cotton Textiles (Export Control) Order, 1949, and in supersession of the Textile Commissioners Notification No. 27/1-T (2)/48 (ii) dated 15th October 1949, I hereby authorise each of the officers specified in column (2) of the table below to exercise on my behalf within the area specified in column (3) thereof, the functions of the Textile Commissioner specified in paragraphs (a), (b) and (c) of sub-clause (ii) of clause 5 of the said Order.—

Sl. No.	Designation of the Officer	Area
1	The Director of Controlled Commodities, Madras and all Assistant Textile Commissioners working under him.	Madras State.
2	All District Textile Control Officers and Textile Inspectors in the Sate of Madras.	Within their respective jurisdictions.
3	The Controller, the Dy. Controller and the Assistant Controller of Supplies and Transport, Orissa.	Orissa.
4	All Supervisors of Textiles (Head Quarters) and all Inspectors of Textiles (Head Quarters) in the State of Orissa.	Do
5	All supervisors of supplies (Head Quarters) and all Inspectors of Supplies (Head Quarters) in the State of Orissa.	Do
6	All Supervisors of Supplies, all Inspectors of Supplies, all Civil Supplies Officers, Assistant Civil Supplies Officers and Sub-divisional Officers in the State of Orissa.	Within their respective jurisdictions.

Sl. No.	Designation of the Officer	Area
7	Director, and Deputy Director of Textiles, west Bengal.	West Bengal.
8	Director and Deputy Directors of Enforcement, Civil Supplies Department, West-Bengal.	Do.
9	Provincial Textile Commissioner, Shillong ...	Assam.
10	Dy. and Assistant Provincial Textile Commissioners, Assam.	Do
11	All Sub-divisional Magistrates in Assam ...	Within their respective jurisdictions.
12	Cloth Controller, Bihar.	Bihar.
13	All Magistrates and Cloth Inspectors in the State of Bihar.	Within their respective jurisdictions.
14	Officer on Special duty, Commerce and Industries, Civil Supplies Department, Madhyapradesh.	Madhyapradesh.
15	Provincial Textile and Yarn Commissioner, Nagpur.	Do.
16	The Secretary, Deputy Secretary and Additional Dy. Secretary to the Government of Uttarpradesh (Civil Supplies) (B) Dept., Lucknow.	Uttarpradesh.
17	The provincial Textile Controller, Kanpur ...	Do.
18	All District Supply Officers in and all Additional District Supply Officers, Uttarpradesh.	Within their respective jurisdictions.
19	All Piecegoods Inspectors in Uttarpradesh ...	Within their respective Jurisdictions.
20	Director of Civil Supplies, Assistant Director of Civil Supplies (Textiles), Officer-in-charge, Investigation Bureau and all Inspectors (Textiles) in Delhi State.	Delhi State.
21	Director and Deputy Director, Civil Supplies, Punjab and Assistant Director of Civil Supplies (Cloth), Punjab.	Punjab.
22	All District Organisers, Civil Supplies and Rationing, and all Civil Supplies Distribution Officers, in the districts of Gurdaspur, Amritsar and Ferozpur in the Punjab State.	Within their respective jurisdictions.
23	Yarn Commissioner, Ajmer	Ajmer State.
24	The Provincial Textile Controller, the Deputy Provincial Textile Controller and Assistant Provincial Textile Controller, Bombay.	Bombay State.
25	All Textile Inspectors working under the Provincial Textile Controller, Bombay.	Within their respective jurisdictions.
26	All Police Officers not below the rank of a Sub-Inspector, working in the Special Police Establishment, (Ministry of Home Affairs) at their Head Office at New Delhi or at the Branch Offices at Bombay, Madras and Jubbulpore.	Do.
27	All Land Customs Offices under the Collectors of Central Excise.	Do.
28	All Customs Officers under the Collectors of Customs not below the rank of a Preventive Officer.	Do.
29	All Police Officers not below the rank of a Sub-Inspector in any of the States.	Do.
30	All District Magistrates in any of the States.	Do.

T. P. BARAT,
Textile Commissioner.

MINISTRY OF INDUSTRY AND SUPPLY

Office of the Textile Commissioner

NOTIFICATION

Bombay, 1, the 18th August 1950

No. 32/6-Tex. 2/50.—In pursuance of sub-clause (f) of Clause 2 of the Cotton Textiles (Export Control) Order, 1949, I hereby direct that the following amendment shall be made in the Textile Commissioner's Notification No. 32/6-Tex. 2/50, dated the 22nd April, 1950 namely:—

For the existing S. No. 27, the following shall be substituted:—

"All Land Customs Officers and all Central Excise Officers under the Collectors of Central Excise"—Within their respective jurisdictions.

T. P. BARAT,
Textile Commissioner.

MINISTRY OF INDUSTRY AND SUPPLY

Office of the Textile Commissioner

NOTIFICATION

Bombay, the 22nd July 1950

No. 5/5-Tex (2)/50.—In pursuance of sub-clause (f) of clause 2 of the Cotton Textiles (Export Control) Order, 1949, I hereby authorise Shri P. S. Naidu, Officer on Special Duty, Cotton Textiles Fund Committee, to exercise on my behalf the powers of the Textile's Commissioner under clause 5 (ii) of the said Order.

T. P. BARAT,
Textile Commissioner.

NOTIFICATION.

No. C. 1587—C.O. 40-50-8, dated Bangalore, the 9th March 1951.

Ordered that the following Notification No. P. C.—7(2)/50, dated the 16th February 1951, of the Government of India Ministry of Commerce and Industry under the Supply and Prices of Goods Act, 1950, (LXX of 1950) be republished in the *Mysore Gazette*, for general information.

By Order of His Highness the Maharaja,

N. PUTTARANGASWAMY,
Secretary to Government,
Food and Agricultural Departments.

GOVERNMENT OF INDIA, MINISTRY OF COMMERCE AND INDUSTRY.

NOTIFICATION.

New Delhi, the 16th February, 1951.

No. P. C.—7 (2)/50.—In exercise of the powers conferred by section 4 of the Supply and Prices of Goods Act, 1950, (LXX of 1950), the Central Government hereby directs that the following amendment shall be made in the notification of the Government of India in the late Ministry of Industry and Supply No. *S. R. O. 66, dated the 15th January, 1951*, namely :—

In the Schedule annexed to the said notification in the entry in column 3 against each of items 1 and 3 for clause (a) the following clause shall be substituted namely :—

"(*a*) actual railway freight by goods train from any of the localities specified in column 2 to the place of destination, and"

Order.

ORDERED that a copy of the above Notification be communicated to all Governments of Parts A and B States (except Jammu and Kashmir), all Chief Commissioners of Part C States including Andaman and Nicobar Islands, all Ministries of the Government of India, Cabinet Secretariat, Prime Minister's Secretariat, Secretary to the President, the Indian Trade Commissioners, all Indian Embassies, the High Commissioner for India, London, His Majesty's Trade Commissioner in India, all Chambers of Commerce and Associations, the Director-General of Commercial Intelligence and Statistics, Calcutta, the High Commissioner for India in Pakistan, Karachi, the High Commissioner for Pakistan in India, New Delhi, the Secretary, Indian Tariff Board and the Secretary, Planning Commission.

ORDERED also that it be published in the *Gazette of India.*

P. S. SUNDARAM,
Under Secretary to the Government of India.

GOVERNMENT OF INDIA, MINISTRY OF COMMERCE AND INDUSTRY.

NOTIFICATION.

New Delhi, the 16th February 1951.

No. P. C.—18 (1)/51.—In pursuance of section 7 of the Supply and Prices of Goods Act, 1950, (LXX of 1950), the Central Government hereby directs that the following amendment shall be made to the notification of the Government of India in the Ministry of Commerce and Industry No. S.R.O. 166, dated the 1st February 1951, namely :—

In the said notification for the words "Secretary to the Government of India" the words and brackets "Deputy Development Officer (Chemicals)" shall be substituted.

Order.

ORDERED that a copy of the above notification be communicated to all Governments of Parts A and B States (except Jammu and Kashmir); all Chief Commissioners of Part C States including Andaman and Nicobar Islands; all Ministries of the Government of India; Cabinet Secretariat; Prime Minister's Secretariat; Secretary to the President; the Indian Trade Commissioners; all Indian Embassies; the High Commissioner for India, London; His Majesty's Trade Commissioner in India; all Chambers of Commerce and Associations; the Director-General of Commercial Intelligence and Statistics, Calcutta; the High Commissioner for India in Pakistan, Karachi; the High Commissioner for Pakistan in India, New Delhi; the Secretary, Indian Tariff Board and the Secretary, Planning Commission.

ORDERED also that it be published in the *Gazette of India*.

P. S. SUNDARAM,
Under Secretary to the Government of India.

GOVERNMENT OF INDIA, MINISTRY OF COMMERCE AND INDUSTRY.

NOTIFICATION.

New Delhi, the 16th February, 1951.

No. P. C.-18 (1)/51.—In exercise of the powers conferred by sections 13 and 19 of the Supply and Prices of Goods Act, 1950, (LXX of 1950) and all other powers enabling it in this behalf, the Central Government hereby directs that the following amendments shall be made to the notification of the Government of India in the Ministry of Commerce and Industry No. S. R. O. 167, dated the 1st February 1951, namely :—

In the said notification :—

(1) In clause (a), for the words "Secretary to the Government of India in the Ministry of Commerce and Industry or any officer authorised by him in writing in this behalf" the words "Central Government or any officer authorised by it in this behalf" shall be substituted.

(2) In clause (b), for the word "Secretary" in both the places where it occurs the words and brackets "Deputy Development Officer (Chemicals)" shall be substituted.

Order.

ORDERED that a copy of the above notification be communicated to all Governments of Parts A and B States (except Jammu and Kashmir); all Chief Commissioners of Part C States including Andaman and Nicobar Islands; all Ministries of the Government of India; Cabinet Secretariat; Prime Minister's Secretariat; Secretary to the President; the Indian Trade Commissioners; all Indian Embassies; the High Commissioner for India, London; His Majesty's Trade Commissioner in India; all Chambers of Commerce and Associations; the Director-General of Commercial Intelligence and Statistics, Calcutta; the High Commissioner for India in Pakistan, Karachi; the High Commissioner for Pakistan in India, New Delhi; the Secretary Indian Tariff Board and the Secretary, Planning Commission.

ORDERED also that it be published in the *Gazette of India*.

P. S. SUNDARAM,
Under Secretary to the Government of India.

GOVERNMENT OF INDIA, MINISTRY OF COMMERCE AND INDUSTRY.

NOTIFICATION.

New Delhi, the 16th February 1951.

No. P. C.—18 (1)/51.—In exercise of the powers conferred by section 26 of the Supply and Prices of Goods Act, 1950, (LXX of 1950), the Central Government hereby directs that the following amendment shall be made in the Sulphur Stock (Regulation) Rules, 1951, namely:—

In Rule 2 of the said Rules, for the words "Secretary to the Government of India in the" the words and brackets "Deputy Development Officer (Chemicals)," shall be substituted.

Order.

ORDERED that a copy of the above notification be communicated to all Governments of Parts A and B States (except Jammu and Kashmir); all Chief Commissioners of Part C States including Andaman and Nicobar Islands, all Ministries of the Government of India; Cabinet Secretariat; Prime Minister's Secretariat; Secretary to the President; the Indian Trade Commissioners; all Indian Embassies; the High Commissioner for India, London; His Majesty's Trade Commissioner in India; all Chambers of Commerce and Associations; the Director-General of Commercial Intelligence and Statistics, Calcutta; the High Commissioner for India in Pakistan, Karachi; the High Commissioner for Pakistan in India, New Delhi; the Secretary, Indian Tariff Board; and the Secretary, Planning Commission.

ORDERED also that it be published in the *Gazette of India*.

P. S. SUNDARAM,
Under Secretary to the Government of India.

NOTIFICATION.

No. C. 1589—C. O. 40-50-6, dated Bangalore, 9th March 1951.

Ordered that the following four Notifications No. P. C.—18 (1)/51, dated the 16th February 1951, of the Ministry of Commerce and Industry under the Supply and Prices of Goods Act, 1950, (LXX of 1950), be republished in the *Mysore Gazette*, for general information.

By Order of His Highness the Maharaja,

N. PUTTARANGASWAMY,

Secretary to Government,
Food and Agricultural Departments.

GOVERNMENT OF INDIA, MINISTRY OF COMMERCE AND INDUSTRY.

NOTIFICATION.

New Delhi, the 16th February 1951.

No. P. C.—18 (1)/51.—In exercise of the powers conferred by clause (a) of the notification of the Government of India in the Ministry of Commerce and Industry No. S.R.O. 167, dated the 1st February 1951, the Central Government hereby authorises the Deputy Development Officer (Chemicals) attached to the Ministry of Commerce and Industry to issue a general or special authority to a dealer for the sale or disposal of sulphur.

P. S. SUNDARAM,

Under Secretary to the Government of India.

Printed by the Director of Printing, Stationery and Publications
at the Government Press, Bangalore.

PART IV

Section 2-B

NOTIFICATIONS, RULES AND ORDERS ISSUED UNDER MYSORE ACTS AND ORDINANCES.

NOTIFICATIONS.

(HOME DEPARTMENT).

No. H.A. 12121—Pol. 659-50-4, dated Bangalore, 29th March 1951.

In exercise of the powers conferred by Section 8 of the Preventive Detention Act, 1950, (Central Act IV of 1950) as amended by the Preventive Detention (Amendment) Act, 1951 (Central Act IV of 1951), and in modification of Notification No. H.A. 11817—Pol. 659-50-3, dated the 20th March 1951, constituting an Advisory Board for the purpose of the said Act, His Highness the Maharaja of Mysore is pleased to appoint Sri S. Kanakaratnaraj, B.A., B.L., Principal District Judge, Bangalore, as one of the Members of the said Board, in place of Justice Sri B. Vasudeva Murthy, B.A., LL.B., Judge, High Court of Mysore.

By Order of His Highness the Maharaja,

K. SRINIVASAN,
Chief Secretary to Government.

No. L. 13300—Cm. 65-50-2, dated Bangalore, 31st March 1951.

In exercise of the powers conferred by Section II of the Mysore Amusements Tax Act, 1932 (Mysore Act VIII of 1932), His Highness the Maharaja of Mysore is pleased to declare the Chairman of the Central Board of Film Censors, the members of the Board or Advisory Panel and a Regional or an Assistant Regional Officer as inspecting Officers authorised by the State Government within the meaning of the said section.

By Order of His Highness the Maharaja.

No. A.F. 2—Ft. 45-49-5, dated Bangalore, the 2nd April 1951.

In exercise of the powers conferred by Sections 35, 37, 71 and 76 of the Mysore Forest Act, 1900, (XI of 1900), His Highness the Maharaja of Mysore is pleased to direct that the following amendments shall be made to the rules for regulating the transit of timber, firewood, charcoal and bamboos from all lands other than Coffee lands issued in Notification No. A.F. 2180—Ft. 45-49-2, dated the 19th September 1949, namely:—

(i) In the Schedule A to the said rules the words "Mandya Town Municipal limit in Mandya District" shall be omitted, and

(ii) the words "Taluk of Kankanhalli of Bangalore District" shall be added.

2. The following amendment shall also be made to the rules for the control of private saw pits, saw mills or any other sawing contrivance issued in Notification No. A.F. 2181—Ft. 45-49-2, dated 19th September 1949, namely:—

In the schedule to the said rules, the words "3 Kankanhalli Taluk of Bangalore District" shall be added.

By Order of His Highness the Maharaja,

M. S. SWAMINATHAN,

Secretary to Government,
Local Self-Government Department.

No. D. 8749—I. & C. 297-50-1, dated Bangalore, 29th March 1951.

In exercise of the powers vested in them under Rule 6 of the Rules framed under the Mysore Sugar Factory Sugarcane Cess Act, 1948, the Government of Mysore are pleased to specify Rupees three per ton as the rate of cess leviable for the year 1950-51.

By Order of His Highness the Maharaja,

R. J. REGO,

Secretary to Government,
Development Department.

Reg. No. M. 1175.

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The Mysore Gazette

(PUBLISHED BY AUTHORITY)

(EXTRAORDINARY)

BANGALORE, MONDAY, APRIL 2, 1951.

PART IV

Section 2-A

BILLS, SELECT COMMITTEE REPORTS, IF ANY, THEREON AND ACTS AND ORDINANCES OF MYSORE.

NOTIFICATION.

No. L.D. 1—Legis. 1 51-1, Bangalore, dated 2nd April 1951.

Ordered that the accompanying Mysore Appropriation No. 2 Act, 1951, which received the assent of His Highness the Maharaja, on the 31st day of March 1951 be published as Mysore Act No. X of 1951, in the *Mysore Gazette*, for general information.

MYSORE ACT NO. X OF 1951.

THE MYSORE APPROPRIATION No. 2 Act, 1951.

(Received the assent of His Highness the Maharaja on the 31st day of March 1951.)

An Act to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State to the service of the year ending on the thirty-first day of March, one thousand nine hundred and fifty-one.

Preamble

WHEREAS it is expedient to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State to the service of the year ending on the thirty-first day of March, one thousand nine hundred and fifty-one;

It is hereby enacted as follows :—

Short title.

1. This Act may be called the Mysore Appropriation No. 2. Act, 1951.

Issue of Rupees 7,64,000 out of the Consolidated Fund of the State for the year 1950-51.

2. From and out of the Consolidated Fund of the State there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of seven lakhs sixty-four thousand rupees towards defraying the several charges which will come in course of payment during the year ending on the thirty-first day of March, one thousand nine hundred and fifty-one in respect of the services specified in column 2 of the Schedule.

Appropriation.

3. The sums authorised to be paid and applied from and out of the Consolidated Fund of the State by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the year ending on the thirty-first day of March, one thousand nine hundred and fifty-one.

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SCHEDULE.

[*See* sections 2 and 3]

1	2	3
No. of vote	Services and purposes	Sums not exceeding Voted by the Legislative Assembly
	A. Expenditure met from Revenue.	Rs.
1	1. Land Revenue	4,97,000
7	12. General Administration	17,000
32	II Forest—1. Sandal Oil—Operation Expenses	2,50,000
	Total ...	7,64,000

By Order of His Highness the Maharaja,

N. R. JAYA RAO,

Legal Remembrancer and
Secretary to Government,
Law Department.

Printed by the Director of Printing, Stationery and Publications at the Government Press, Bangalore.

Reg. No. M. 1175.

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The Mysore Gazette

(PUBLISHED BY AUTHORITY)

(EXTRAORDINARY)

BANGALORE, MONDAY, APRIL 2, 1951.

PART IV

Section 2-A.

BILLS, SELECT COMMITTEE REPORTS, IF ANY, THEREON AND ACTS AND ORDINANCES OF MYSORE.

NOTIFICATION.

Order No. L.D. 2—Legis. 2-51-1 Bangalore, dated 2nd April 1951.

Ordered that the accompanying Mysore Appropriation No. 3 Act, 1951, which received the assent of His Highness the Maharaja, on the 31st day of March 1951 be published as Mysore Act No. XI of 1951, in the *Mysore Gazette*, for general information.

MYSORE ACT No. XI OF 1951.

THE MYSORE APPROPRIATION No. 3 ACT, 1951.

(Received the assent of His Highness the Maharaja on the 31st day of March 1951.)

An Act to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of the State to the service of the year ending on the thirty-first day of March, one thousand nine hundred and fifty-two.

Preamble.

WHEREAS it is expedient to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of the State to the service of the year ending on the thirty-first day of March, one thousand nine hundred and fifty-two;

It is hereby enacted as follows:—

Short title.

1. This Act may be called the Mysore Appropriation No. 3 Act, 1951.

Issue of Rupees 29,43,22,700 out of the Consolidated Fund of the State for the year 1951-52.

2. From and out of the Consolidated Fund of the State, there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of two thousand nine hundred and forty-three lakhs, twenty-two thousand and seven hundred rupees towards defraying the several charges which will come in course of payment during the year ending on the thirty-first day of March, one thousand nine hundred and fifty-two in respect of the services specified in column 2 of the Schedule.

Appropriation.

3. The sums authorised to be paid and applied from and out of the Consolidated Fund of the State by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the year ending on the thirty-first day of March, one thousand nine hundred and fifty-two.

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SCHEDULE.

(*See* sections 2 and 3)

1	2		3		
			Sums not exceeding		
No. of vote	Services and purposes		Voted by the Legislative Assembly	Charged on the Consolidated Fund	Total
	A. EXPENDITURE MET FROM REVENUE.		Rs.	Rs.	Rs.
1	7	Land Revenue	25,21,000	....	25,21,000
2	8	State Excise Duties	16,90,000	...	16,90,000
	9	Stamps	1,89,000	...	1,89,000
4	10	Forest	37,66,000	...	37,66,000
5	11	Registration	4,29,000	....	4,29,000
6	12	Charges on account of Motor Vehicles Acts ...	6,56,000	...	6,56,000
7	13	Other Taxes and Duties	4,28,000	...	4,28,000
8	18	Other Revenue Expenditure financed from Ordinary Revenue.	48,01,000	...	48,01,000
9	19	Construction of Irrigation, Navigation, Embankment and Drainage Works	30,75,000	...	30,75,000
10	22	Interest on Debt and other obligations ...			
	17	Interest on works for which capital accounts are kept ...	34,20,000	47,91,000	82,11,000
	52	Interest on capital outlay on Electricity Schemes			
	23	Appropriation for Reduction or avoidance of Debt ...	...	20,00,000	20,00,000
11	25	General Administration (except B. C. and F.) ...	25,43,000	3,87,600	29,30,600
12	25	Do (B. Parliament and the State Legislature and C. Elections for Legislature).	10,15,600	16,800	10,32,400
13	25	General Administration (F. District Administration) ...	31,20,000	...	31,20,000
14	27	Administration of Justice	20,95,600	2,67,400	23,63,000
15	28	Jails	6,84,000	...	6,84,000
16		Police	91,75,000	...	91,75,000
17	36	Scientific Departments	2,82,000	...	2,82,000
18	37	Education	3,08,96,000	...	3,08,96,000
19	38	Medical	92,24 000	...	92,24,000
		Public Health	42,68,000	...	42,68,000
21	40	Agriculture (except Horticulture)	60,24,700	...	60,24,700
22	40 (b)	Botanical and Other Public Gardens	8,05,300	...	8,05,300
23	40A.	Rural Department	54,69,000	...	54,69,000
24	41	Veterinary charges	23,47,000	...	23,47,000
	42	Co-operation	5,24,000	...	5,24,000
	43	Industries and Supplies except Sericulture	35,73,600	...	35,73,600

1	2	3		
		Sums not exceeding		
No. of vote	Services and purposes	Voted by the Legislative Assembly	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
27	43 a-4. Sericulture	10,35,400	...	10,35,400
28	47 Miscellaneous Departments	12,81,000	...	12,81,000
29	50 Civil Works	2,02,50,500	...	2,02,50,500
30	54A. Territorial and Political Pensions	2,85,000	...	2,85,000
31	55 Superannuation Allowances and Pensions ...	37,04,000	1,00,000	38,04,000
32	56 Stationery and Printing	14,25,000	...	14,25,000
33	57 Miscellaneous	13,07,000	...	13,07,000
34	63 Extraordinary charges	19,50,000	...	19,50,000
35	X. Forest—3. (i) Wood Preservation Plant—Working Expenses and Seigniorage	3,00,000	...	3,00,000
36	XVII. I.N.E. and D. Works for which capital accounts are kept—Working Expenses	24,66,300	...	24,66,300
37	XXXII. Industries and Supplies—(a) Industries-Working Expenses	4,65,65,100	...	4,65,65,100
38	XLI. Receipts from Electricity Scheme—Working Expenses	87,72,300	...	87,72,300
39	XLVI-A. Receipts from Road Transport Schemes—Working Expenses	34,59,000	...	34,59,000
40	Capital outlay not met from Revenue— 68 Construction of I.N.E and D. Works outside the Revenue Account	96,03,000	...	96,03,000
41	70 Capital outlay on Improvement of Public Health ...	8,15,000	...	8,15,000
42	72 Capital outlay on Industrial Development	2,35,92,000	...	2,35,92,000
43	81-A. Capital outlay on Electricity Schemes	4,16,33,000	...	4,16,33,000
44	82-B. Capital outlay on Road Transport Schemes ...	7,50,000	...	7,50,000
45	85-A. Capital outlay on Provincial Schemes of State Trading	20,00,000	...	20,00,000
46	Loans and Advances by the State Government ...	1,25,44,500	...	1,25,44,500
	Total ...	28,67,59,900	75,62,800	29,43,22,700

By Order of His Highness the Maharaja,

N. R. JAYA RAO,
Legal Remembrancer and
Secretary to Government,
Law Department.

Printed by the Director of Printing, Stationery and Publications at the Government Press, Bangalore

Reg. No. M. 1175.

The Mysore Gazette

(PUBLISHED BY AUTHORITY)

(EXTRAORDINARY)

BANGALORE, TUESDAY, APRIL 3, 1951.

PART IV

Section 2-A

BILLS, SELECT COMMITTEE REPORTS, IF ANY, THEREON AND ACTS AND ORDINANCES OF MYSORE.

NOTIFICATION.

Order No. L.D. 10—Legis. 7-51-1, dated Bangalore, 3rd April 1951.

Ordered that the accompanying Mysore Motor Vehicles Taxation and Tolls Act, 1951, which received the assent of His Highness the Maharaja, on the 31st day of March 1951, be published as Mysore Act No. XII of 1951, in the *Mysore Gazette*, for general information.

MYSORE ACT No. XII OF 1951.

THE MYSORE MOTOR VEHICLES TAXATION AND TOLLS ACT, 1951.

ARRANGEMENT OF SECTIONS.

CHAPTER I.

PRELIMINARY.

1. Short title, extent and commencement.
2. Definitions.

CHAPTER II.

TAXATION.

3. Levy of taxes on motor vehicles.
4. Payment of tax and issue of licence.
5. Carriage of tax licence on vehicle.
6. Penalty for failure to pay tax.
7. Recovery of tax as an arrear of land revenue.
8. Exemption from or reduction of tax.

CHAPTER III.

TOLLS.

9. Power to cause levy of tolls on roads and bridges and to appoint collectors.
10. Establishment of toll bars.
11. Recovery of toll.
12. Evasion of payment of toll.
13. Penalty.
14. Penalty for fraudulently passing a toll bar.
15. Composition of tolls.
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CHAPTER IV.

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18. Crediting of the proceeds of taxes and tolls.
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23. Jurisdiction of courts.
24. Officers to be deemed public servants.
25. Protection of action taken in good faith.
26. Power of Government to make rules.
27. Penalty for offences for which no other penalty is provided for.
28. Repeal and savings.

MYSORE ACT No. XII OF 1951.

THE MYSORE MOTOR VEHICLES TAXATION AND TOLLS ACT, 1951.

(Received the assent of His Highness the Maharaja on the 31st day of March 1951).

An Act to consolidate and amend the law relating to the levy of taxes on motor vehicles and tolls in the State of Mysore.

WHEREAS it is expedient to consolidate and amend the law relating to the levy of taxes on motor vehicles and tolls in the State of Mysore; Preamble.

It is hereby enacted as follows :—

CHAPTER I.

PRELIMINARY.

1. (1) This Act may be called the Mysore Motor Vehicles Taxation and Tolls Act, 1951. Short title, extent and commencement.

(2) It extends to the whole of the State of Mysore.

(3) It shall come into force on the 1st day of April, 1951.

2. In this Act, unless there is anything repugnant in the subject or context,— Definitions.

(1) "Motor Vehicles Act, 1939" means the Motor Vehicles Act, 1939, (Central Act IV of 1939);

(2) The following expressions shall have the meanings assigned to them respectively in the Motor Vehicles Act, 1939,—

(*a*) "contract carriage,"

(*b*) "goods,"

(*c*) "goods vehicles,"

(*d*) "invalid carriage,"

(*e*) "motor cab,"

(*f*) "motor cycle,"

(*g*) "motor vehicles,"

(*h*) "stage carriage,"

(*i*) "trailer,"

(*j*) "unladen weight,"

(3) "Government" means the State Government;

(4) "laden weight" in relation to—

(*a*) a motor vehicle means, in case a permit is issued to the vehicle under the Motor Vehicles Act, 1939, the maximum laden weight specified in such permit; if no such permit is issued, the maximum laden weight specified in the registration certificate of the vehicle, and, if such weight is not specified in such certificate, the maximum laden weight of the vehicle determined in such manner as the licensing officer may deem fit;

(*b*) a trailer means, in case a permit is issued under the Motor Vehicles Act, 1939, to a vehicle to which the trailer is attached the maximum laden weight prescribed in such permit in respect of the trailer; if, no such permit is issued, the maximum laden weight specified in respect of the trailer in the registration certificate of the vehicle to which the trailer is attached, and, if such weight is not specified in such certificate, the maximum laden weight of the trailer determined in such manner as the licensing officer may deem fit;

(5) "licensing officer" means an officer appointed by the Government to exercise the powers and perform the functions of a licensing officer under this Act;

(6) "local authority" means the Corporation of the City of Bangalore, a City Municipal Council or such Town Municipal Council or Sanitary Board or Town Board as the Government may specify by notification;

(7) "notification" means a notification published in the *Mysore Gazette*;

(8) "prescribed" means prescribed by rules made under this Act;

(9) "public road" means any street, road, square, court, alley, passage, or riding path over which the public have a right of way, whether a thoroughfare or not, and includes the roadway over any public bridge or causeway;

(10) "registered owner" means a person in whose name a motor vehicle or trailer is registered under the Motor Vehicles Act, 1939;

(11) "schedule" means a schedule to this Act;

(12) "side car" means a wheeled carrier attached to a motor vehicle which rests on not more than two wheels;

(13) "tax" means a tax levied under this Act;

(14) "tax licence" means the document issued by a licensing officer in respect of any motor vehicle indicating that taxes leviable on that vehicle under this Act have been paid;

(15) "year" means the financial year; "half-year" means the first six months or the second six months of such year; and "quarter" means the first three months or the second three months of the half-year.

CHAPTER II.

TAXATION.

Levy of taxes on motor vehicles.

3. The Government may, by notification, from time to time, direct the levy of all or any of the following taxes on motor vehicles used, or kept for use, in the State at rates not exceeding those prescribed in the First Schedule and subject to the privileges, conditions, exemptions and limitations specified therein, that is to say,—

(*a*) a vehicle tax on motor cycles, invalid carriages, motor cars and goods vehicles used solely for purposes of agriculture;

(*b*) a road tax on goods vehicles;

(*c*) a service tax on public service vehicles used for carrying passengers; and

(*d*) a mileage cess on stage and contract carriages excluding motor cabs.

Payment of tax and issue of licence.

4. (1) After the issue of a notification under section 3, no motor vehicle shall be used on any public road in the State, unless the registered owner, or the person having possession or control, of such vehicle has obtained a tax licence under sub-section (7) in respect of the vehicle.

(2) The vehicle tax levied under section 3 shall be payable for the year and in advance by the registered owner, or the person having possession or control, of the motor vehicle:

Provided that the Government may, by notification, allow payment of the tax for half-yearly periods at the rate of half the tax payable for the year.

(3) Taxes other than the vehicle tax shall be payable for the quarter and in advance. The taxes due for two or more consecutive quarters of the same year may be paid in advance.

(4) Notwithstanding anything contained in section 3 and sub-sections (2) and (3) of this section, the Government may, by notification from time to time, direct the levy of taxes, at rates not exceeding those specified in Part E of the First Schedule, on motor vehicles belonging to, or in the possession and control, of persons, not ordinarily residing in the State and used or kept for use in Mysore by such persons for periods shorter than the half-year or the quarter, as the case may be, but not exceeding thirty days at a time. The levy of the taxes shall be subject to such conditions as may be specified by the Government, in the said notification.

(5) Where a tax on any motor vehicle has been paid for any period and the vehicle has not been used during the whole of that period, or a continuous part thereof, not being less than one calendar month, a refund of the tax at such rates as may, from time to time, be specified by notification by the Government, shall be payable, subject to such conditions as may be specified in the said notification.

(6) Notwithstanding anything contained in sub-section (1), no person shall be liable to tax during any period on any taxable motor vehicle, if the tax due on such vehicle for the same period has already been paid by some other person.

(7) When any person pays the amount of tax due on any taxable motor vehicle in the State, or proves to the satisfaction of the licensing officer that no tax is payable on any motor vehicle, the licensing officer shall—

(i) grant to such person a tax licence, in such form as may be prescribed, to use the vehicle on public roads in the State for the period or periods concerned ;

(ii) record that the tax has been paid for a specified period or periods, or that no tax is payable on the vehicle, as the case may be, in the certificate of registration granted, or renewed, in respect of the vehicle under the Motor Vehicles Act, 1939, or, in the case of vehicles not registered under the said Act, in a certificate in such form as may be prescribed :

Provided that the Government may exempt from the provisions of this sub-section any person who has been exempted from the payment of the tax on any motor vehicle and prescribe the manner in which such exemption from payment of the tax is to be indicated.

Carriage of tax licence on vehicle.

5. (1) The tax licence granted in respect of a motor vehicle under sub-section (7) of section 4, shall be exhibited upon the vehicle in such manner as may be prescribed, and if such a licence is not so exhibited, the registered owner, or the person having possession or control, of such vehicle shall, on conviction, be punishable with fine which may extend to fifty rupees.

(2) The person in charge of any motor vehicle on any public road shall cause the vehicle to stop and to remain stationary so long as may reasonably be necessary, when required to do so by any police officer in uniform, not below the rank of Sub-Inspector, or, who, being below such rank, is empowered in this behalf by the Inspector-General of Police, Deputy Inspector-General of Police or the District Magistrate, for the purpose of satisfying himself that a tax licence has been obtained in respect of such vehicle for the period then current.

(3) Any person failing to stop a motor vehicle when required to do so by a police officer or any other officer empowered under sub-section (2), shall, on conviction, be punishable with fine which may extend to fifty rupees.

Penalty for failure to pay tax.

6. If a tax due on any motor vehicle has not been paid, the registered owner, or the person having possession or control, of such vehicle shall, on conviction, be punishable with fine which may extend to fifty rupees; and the amount of the tax due by him on such vehicle shall also be recovered as if it were a fine.

Recovery of tax as an arrear of land revenue.

7. Any tax under this Act may also be recovered in the same manner as an arrear of land revenue. The motor vehicle on the tax is due or its accessories may be destrained or sold, whether such vehicle or accessories be, or be not in the possession or control of the person liable to pay the tax.

Exemption from or reduction of tax.

8. The Government may, by notification, exempt or reduce the rate of a tax payable—

(i) by any person or class of persons, or

(ii) in respect of any motor vehicle or class of motor vehicles.

CHAPTER III.

TOLLS.

Power to cause levy of tolls on roads and bridges and to appoint collectors.

9. Subject to the rules made by the Government in this behalf, the Government may cause such rates of tolls, not exceeding those specified in the Second Schedule, to be levied on any public road or bridge in the State, which has been, or shall hereafter be, constructed or repaired at the expense of the Government, or any District Board constituted under the Mysore District Boards Act, 1926, and may place the collection of such tolls under the management of any person and all persons employed in the management and collection of such tolls shall be liable to the same responsibility as would attach to them if employed in the collection of the land revenue.

Establishment of toll bars.

10. The Government may, from time to time, by notification declare the roads on which and the places where tolls shall be levied, and may abolish the collection of tolls on roads on which such tolls have been declared leviable, and may authorise the erection or removal of any toll bar for the purpose of carrying out the provisions of this section:

Provided that when it is proposed to establish a new toll bar on a road maintained by a District Board, or to

abolish an existing toll bar on such a road, such District Board shall be consulted before a decision is reached.

Recovery of toll.

11. (1) In case of non-payment of any toll on demand, the person appointed or duly authorised to collect the same, may seize any of the vehicles or animals on which it is chargeable or any part of their burden of sufficient value to defray the toll.

(2) If any such toll remains unpaid for twenty-four hours after the property has been seized under sub-section (1), the said property shall, after twenty-four hours' notice, exclusive of Sunday or any public holiday, be sold by order of the officer authorised to superintend the collection of the said toll, by public auction in payment of the toll, and all expenses occasioned by such non-payment, seizure and sale, and any balance that may remain shall be returned, on demand, to the owner of the property :

Provided that, if at any time before the sale has actually begun, the person, whose property has been seized, tenders the amount of all the expenses incurred, and double the toll payable by him, the said officer shall forthwith release the property seized.

(3) Any amount due on account of toll may also be recovered as an arrear of land revenue.

Evasion of payment of toll.

12. No person shall, with intent to evade payment of toll, cause a vehicle or animal to leave a road on which a toll bar has been placed and pass over any land within a quarter of a mile therefrom, such land not being either a public road or land of which such person is the owner or occupier.

Penalty.

13. Every person who —

(*a*) not being a person appointed or authorised to collect tolls under this Act, levies or demands any toll on any public road or bridge or for passing through any bazaar situated on such road ; or

(*b*) unlawfully demands or takes any other or higher toll than the lawful toll ; or

(*c*) under colour of this Act, seizes or sells any property knowing such seizure or sale to be unlawful, or in any manner unlawfully extorts money or any valuable thing from any person,

shall, on conviction before a magistrate, be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to two hundred rupees. Any part of such fine may be awarded by the magistrate to the person aggrieved.

Penalty for fraudulently passing a toll bar.

14. Any person who fraudulently or forcibly passes any toll bar, without paying the proper toll, or who obstructs the person appointed or duly authorised to collect the toll, in the discharge of his duties, shall, on conviction, be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to fifty rupees.

Composition of tolls.

15. (1) Subject to such conditions as may be prescribed, any person may, in respect of a motor cycle, an invalid carriage, motor car or motor cab belonging to him, pay in lieu of all tolls, other than those levied at toll bars established on any road or bridge specified in the Fourth Schedule or a road or bridge constructed after the 1st of January, 1936, for the recovery of the amount expended upon such road or bridge, a quarterly composition fee at rates not exceeding the maxima specified in Part A of the Third Schedule. The payment of such composition fee shall exempt such vehicle from tolls levied by any municipal council.

(2) The composition fee payable under sub-section (1), shall be paid for the quarter and in advance.

(3) Any such person may pay in advance the composition fee payable under sub-section (1) for two or more consecutive quarters in the same year. When the fee is so paid, such rebate shall be allowed as may, from time to time, be specified by notification by the Government.

Composition of tolls in respect of a single toll bar.

16. Subject to such conditions as may be prescribed, any person may, in respect of any motor cycle, or invalid carriage, or a motor car not exceeding thirty hundredweights in weight, unladen, and constructed or adapted for the carriage of not more than seven persons including the driver, or stage carriage, or a cart drawn by a single bullock or bullocks, pay in lieu of all tolls payable at any one toll bar established under this Act, other than a frontier toll bar, an annual composition fee at rates not exceeding the maxima specified in Part B of the Third Schedule :

Provided that such composition under this section shall not—

(i) be allowed in respect of more than one toll bar for any such motor cycle, invalid carriage, motor car, stage carriage or cart; and

(ii) exempt such cart from tolls when laden with timber.

Exemption from or reduction of toll.

17. The Government may, by notification, exempt, or reduce the rate of toll payable—

(i) by any person or class of persons, and

(ii) in respect of any vehicle or animal or classes of vehicles or animals.

CHAPTER IV.

MISCELLANEOUS.

Crediting of the proceeds of taxes and tolls.

18. All taxes and tolls collected under this Act and the Mysore Highways Act, 1920, shall be credited to such Head in the State Accounts as the Government may by order specify.

Utilisation of the proceeds of taxes and tolls.

19. (1) The Head of State Accounts specified under section 18, shall be debited under the order of the Government with the following charges, that is to say,—

(i) such amount as the Government may, from time to time, determine on account of the expenses incurred in giving effect to the provisions of this Act and of the Mysore Highways Act, 1920;

(ii) payments made to local authorities under section 23; and

(iii) allotments made at the discretion of the Government for such other purposes as may be consistent with, or necessary for, the more efficient administration of this Act and the Mysore Highways Act, 1920.

(2) After meeting the charges under sub-section (1) the balance of the money in the Head of State Account specified under section 18, shall be used for the construction and maintenance of roads and bridges.

Savings as to vehicles used for agricultural purposes.

20. No tax under this Act other than the vehicle tax shall be levied on any motor vehicle used solely for the purposes of agriculture.

Explanation.—A motor vehicle used for transporting agricultural produce along a public road shall not, for the purpose of this section, be deemed to be used solely for the purposes of agriculture.

Municipalities not to levy taxes or tolls on motor vehicles.

21. Notwithstanding anything contained in the City of Bangalore Municipal Corporation Act, 1949, the Mysore City Municipalities Act, 1933, the Mysore Town Municipalities Act, 1933, and the Mysore Minor Municipalities Act, 1933, the Corporation of the City of Bangalore or any Municipal Council shall not levy a tax on motor vehicles, or a toll on such motor vehicles as are exempted from payment of municipal tolls under this Act.

Payment to District Boards and Municipalities for loss of tolls and vehicles tax.

22. (1) From the proceeds of the taxes and the tolls collected under this Act, the Government shall pay annually to each District Board, which prior to 1st January, 1936, was levying tolls, and to each Municipal Council which prior to 1st January, 1936, was levying a vehicle tax on motor vehicles, a sum determined by the Government, after consulting the District Board or the Municipal Council concerned, as representing the average annual income of each District Board from tolls and of each Municipal Council from vehicle tax on motor vehicles during the three years ending with the 30th day of June, 1935, after deducting therefrom such expenses of collection as may be determined by the Government.

(2) The Government may prescribe the conditions that should be taken into consideration in determining the amounts payable to a local authority under sub-section (1).

(3) Once in every three years, the Government may, after consulting the District Board or the Municipal Council concerned, prescribe the manner in which and the periods for which the amount payable thereafter to such District Board or Municipal Council shall be paid.

(4) The amount recovered in respect of the composition of tolls under section 15, the proceeds of the service tax under clause (*c*) of section 3 on all public service

motor vehicles plying or used solely within the jurisdiction of a Municipal Council and the proceeds of the mileage cess under clause (*d*) of section 3 shall be apportioned between the respective local authorities and the Government in such manner as may be determined by orders made by the Government.

Explanation.—In this section the expression "Municipal Council" includes the Corporation of the City of Bangalore.

Jurisdiction of courts.

23. No court inferior to that of a Second Class Magistrate shall try any offence punishable under this Act.

Officers to be deemed public servants.

24. Every officer appointed by the Government for carrying out the provisions of this Act shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.

Protection of action taken in good faith.

25. No suit, prosecution, or other legal proceeding shall lie against any person for anything in good faith done or intended to be done under this Act.

Power of Government to make rules

26. (1) The Government may, by notification, make rules for carrying out all or any of the purposes of this Act.

(2) Any rule made under sub-section (1) may provide that a breach thereof shall, on conviction, be punishable with fine which may extend to fifty rupees.

Penalty for offences for which no other penalty is provided for.

27. Whoever contravenes any of the provisions of this Act, if no other penalty is elsewhere provided in this Act for such contravention, shall, on conviction, be punishable with fine which may extend to one hundred rupees.

Repeal and savings.

28. The Mysore Motor Vehicles and Road Traffic Act, 1944, (Mysore Act XXVII of 1944) in so far as it relates to the taxation of motor vehicles and tolls is hereby repealed:

Provided that—

(*a*) the said repeal shall not affect the validity of anything done or the liability of any person to pay any sum due from him under the aforesaid Act or rules or orders thereunder;

(*b*) any appointment, notification, notice, order, licence, permission, rule, form, tax or toll, made, issued, given or levied, and toll bars established and any legal proceedings instituted under the aforesaid Act or rules or orders thereunder, shall continue in force and be deemed to have been respectively made, issued, given or levied and instituted under this Act until superseded by or under the provisions of this Act.

THE FIRST SCHEDULE.

PART A.

THE VEHICLE TAX.

(*Section 3*).

Class of vehicles.	*Annual tax.* Rs. a. p.
1. Motor cycles—	
(*a*) Solo	22 8 0
(*b*) With side cars or tricycles	28 8 0
2. Invalid carriages	22 8 0
3. Motor cars, constructed or adapted to carry in all not more than seven persons including the driver—	
(*a*) weighing not more than 15 cwts. unladen ...	45 0 0
(*b*) weighing more than 15 cwts. unladen ...	84 0 0
4. (*a*) Motor cars constructed or adapted to carry eight persons or more including the driver ...	90 0 0
(*b*) For heavy motor cars, *i.e.*, motor cars exceeding two tons in weight, unladen	150 0 0
5. Goods vehicles used solely for purposes of agriculture.	90 0 0

Privileges and exemptions—

The vehicle shall be exempted from all municipal tolls.

PART B.

THE ROAD TAX.

(Section 3).

Class of vehicles	Quarterly tax	
	Vehicles fitted with pneumatic tyres on all wheels.	Other vehicles
	Rs. a. p.	Rs. a. p.
1. Goods vehicles without trailers—		
(*a*) not exceeding 15 cwts. in weight, laden.	34 0 0	51 0 0
(*b*) exceeding 15 cwts. but not exceeding 25 cwts. in weight, laden.	56 0 0	79 0 0
(*c*) exceeding 25 cwts. but not exceeding 30 cwts. in weight, laden.	79 0 0	101 0 0
(*d*) exceeding 30 cwts. but not exceeding 35 cwts. in weight, laden.	101 0 0	129 0 0
(*e*) exceeding 35 cwts. but not exceeding 50 cwts. in weight, laden.	127 0 0	169 0 0
(*f*) exceeding 50 cwts. but not exceeding 70 cwts. in weight, laden.	169 0 0	208 0 0
(*g*) exceeding 70 cwts. but not exceeding 100 cwts. in weight, laden.	197 0 0	254 0 0
(*h*) exceeding 100 cwts. but not exceeding 120 cwts. in weight, laden.	225 0 0	300 0 0
(*i*) exceeding 120 cwts. but not exceeding 150 cwts. in weight, laden.	250 0 0	350 0
(*j*) exceeding 150 cwts. but not exceeding 180 cwts. in weight, laden.	275 0 0	400 0 0
(*k*) exceeding 180 cwts. in weight, laden.	300 0 0	450 0 0
2. Additional tax payable in respect of the vehicles specified in paragragh 1 when used for drawing trailers.—		
(i) for each trailer not exceeding one ton in weight, laden.	67 8 0	96 0 0
(ii) for each trailer exceeding one ton in weight, laden.	140 0 0	169 0 0

Provided that two or more vehicles shall not be chargeable under this clause in respect of the same trailer.

3. Goods vehicles used for the carriage or haulage of goods and passengers.	(*a*) A tax as on a goods vehicle under items 1 and 2 above, having a weight which bears to the laden weight of the vehicle the same proportion as the floor area set apart for the carriage of goods, bears to the total floor area of the vehicle, together with, (*b*) a service tax calculated at the rate specified in Part C of this Schedule for every passenger which the vehicle is licensed to carry, and (*c*) a mileage cess as on stage carriages under Part D of this Schedule.

Explanation.—The expression "Goods" in item 3 above does not include light personal effects of passengers.

Provisos.—

1. (*a*) Goods vehicles shall be exempted from tolls other than those levied by a municipal council in the area in which they have the permit.

(*b*) While working outside the said area on special permits, they shall be liable to both Government and municipal tolls.

(*c*) Such vehicle shall be exempt from all municipal tolls either of the municipal council within the limits of which the owner resides, or of that in the limits of which he carries on the business in respect of which the vehicle is used, at his option which shall be exercised at the time of the payment of the tax.

Such vehicle when kept outside the limits of any municipality shall be free from the tolls of the municipality nearest the place of residence of the owner or his principal place of business, as the case may be, provided that such municipality is within a radius of five miles from such place. If the place is equidistant from two municipalities, such vehicle shall be free from tolls at the municipality elected and declared by the owner at the time of the payment of the tax, provided that the declaration made shall not be subject to variation during the year.

2. Goods vehicles shall be exempt from tolls other than those levied by a municipal council in the area in which they have the permit, provided that, on roads which the Government may, by notification, declare as competing with the Railways in respect of traffic, they may be subjected to the payment of tolls.

3. The provisos to Part C and D of this Schedule shall also be applicable to the cases of vehicles under item 3.

4. In provisos (1) and (2) the expressions "municipal council" and "municipality" include respectively Corporation of the City of Bangalore and the area within the jurisdiction of the said Corporation.

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PART C.

SERVICE TAX.

(Section 3.)

Classes of vehicles	Quarterly tax					
	Vehicles fitted with pneumatic tyres on all wheels			Other vehicles		
	Rs.	a.	p.	Rs.	a.	p.
1. Motor cabs and other contract carriages other than those specified in paragraph 3—						
(*a*) licensed to carry in all not more than two persons,	15	0	0	22	8	0
(*b*) licensed to carry three persons ...	22	8	0	33	12	0
(*c*) licensed to carry four persons ...	60	0	0	90	0	0
(*d*) licensed to carry more than four persons, for every person whom the vehicle is so licensed to carry.	15	0	0	22	8	0
2. Stage carriages for every person, whom the vehicle is licensed to carry—						
(*a*) plying on routes within the limits of the City of Bangalore, Mysore City, Kolar Gold Field Sanitary Board, and Shimoga Town.	10	0	0	15	0	0
(*b*) plying on other routes ...	7	8	0	11	4	0
3. Motor cabs and other contract carriages used for hire for a strictly limited purpose.	75	0	0	112	8	0

Provisos—

1. In the case of motor cabs one seat for the driver, and in the case of other contract carriages having a seating capacity of more than six passengers and stage carriages two seats, one for the driver and one for the conductor, shall not be taken into account for purposes of calculating the tax.

2. A motor vehicle is said to be used for hire for a strictly limited purpose when it satisfies the following conditions :—

(*a*) The vehicle is owned by a public institution like a hotel or school.

(*b*) It is used exclusively for the business of such institution, that is to say, for the conveyance of its members, clients or workmen.

(c) It is used within the limits of the municipality in which it is kept.

(d) It is not available for hire by the general public.

3. Motor cabs, other contract carriages and stage carriages paying service tax shall be exempt from municipal tolls either of the municipal council within the limits of which the owner resides, or of that in the limits of which he carries on business in respect of which the vehicle is used, at his option, which shall be exercised at the time of the payment of the tax.

A motor cab, other contract carriage or stage carriage when kept outside the limits of any municipality shall be free from the tolls of the municipality nearest the place of residence of the owner or his principal place of business, as the case may be, provided that such municipality is within a radius of five miles from such place. If the place is equidistant from two municipalities, such vehicle shall be free from tolls at the municipality elected and declared by the owner at the time of payment of the tax, provided that the declaration made shall not be subject to variation during the year.

4. In provisos 2 and 3 the expressions "Municipal Council" and "Municipality" include respectively the Corporation of the City of Bangalore and the area within the jurisdiction of the said Corporation.

PART D.

MILEAGE CESS.

(Section 3.)

Class of vehicles.	*Rate of Tax.*
1. Stage carriages.—	
(a) when plying on State Fund Roads—cement concreted or tarred —on ordinary permits as part of regular service.	One anna per mile.
(b) when plying on State Fund Roads other than cement concreted or tarred roads, on ordinary permits as part of regular service.	Eight pies per mile.
(c) when plying on roads other than those specified in (a) and (b) above on ordinary permits as part of regular service.	Seven pies per mile.
(d) when plying on any of the roads specified in (a), (b) and (c) above on special permits.	One and and a half times the rates fixed in I (a), (b) and (c) above, as the case may be.
2. Contract carriages—	
With seating capacity for more than six persons.	Do

Provisos—

1. Stage and contract carriages paying the mileage cess are exempt from all tolls levied either by the Government or a municipal council or the Corporation of the City of Bangalore, except those levied at toll bars established on any road or bridge specified in the Fourth Schedule or a road or bridge constructed after the 1st of January, 1936, for the recovery of the amount expended on such road or bridge.

2. Stage carriages plying solely within the limits of the corporation of the City of Bangalore, or the Kolar Gold Field Sanitary Board or within the municipal area of Shimoga Town, or of the Mysore City Municipality are exempt from payment of the mileage cess specified in Part D of the First Schedule.

3. Stage carriages plying for hire between Kuppam and Palamnair on the Kuppam-Palamnair road are exempt from payment of mileage cess. The service tax payable by the said stage carriages is also reduced to annas twelve per seat per quarter, subject a minimum of rupees fifteen per vehicle per quarter.

PART E.

VEHICLE TAX.

[*Sections 3 and 4—sub-section (4)*]

Class of vehicles	For periods not exceeding seven days at a time	For periods exceeding seven days but not exceeding thirty days at a time
	Rs. a. p.	Rs. a. p.
1. Motor cycles—		
(*a*) Solo ...	1 14 0	5 10 0
(*b*) With side car or tricycles ...	2 10 0	7 8 0
2. Invalid carriages ...	1 14 0	5 10 0
3. Motor cars constructed or adapted to carry in all not more than seven persons including the driver—		
(*a*) weighing not more than 15 cwts., unladen ...	4 8 0	13 2 0
(*b*) weighing more than 15 cwts., unladen ...	6 6 0	18 12 0
4. Motor cars constructed or adapted to carry eight persons or more including the driver ...	15 0 0	45 0 0

ROAD TAX.

Class of vehicles	For periods not exceeding seven days at a time	For periods exceeding seven days, but not exceeding thirty days at a time
GOODS VEHICLES.	Rs. a. p.	Rs a. p.
(*a*) not exceeding 15 cwts. in weight, laden.	6 12 0	13 8 0
(*b*) exceeding 15 cwts. but not exceeding 30 cwts. in weight, laden.	15 12 0	31 8 0
(*c*) exceeding 30 cwts. but not exceeding 50 cwts. in weight, laden.	25 4 0	50 8 0
(*d*) exceeding 50 cwts. in weight, laden.	56 4 0	112 8 0

SERVICE TAX.

Class of Vehicles	For periods not exceeding seven days at a time.	For periods exceeding seven days but not exceeding thirty days at a time
	Rs. a. p.	Rs. a. p.
Motor cars, stage and contract carriages.—		
For every person the vehicle is licensed to carry.	1 8 0	3 0 0

MILEAGE CESS.

Stage and contract carriages with seating capacity for more than six persons.	One and a half times the rates fixed in 1(*a*), (*b*) and (*c*) of Part D of this Schedule.

Provisos :—

(1) In all cases, vehicles not fitted with pneumatic tyres on all wheels shall be liable to one and half times the rate of tax prescribed above for the respective class of the vehicle.

(2) The vehicles liable to the vehicle tax, the road tax, the service tax and the mileage cess shall be subject to the privileges, conditions, exemptions and limitations specified in the parts relating to that tax.

THE SECOND SCHEDULE.

Rates of Tolls.

(Section 9.)

A. MOTOR VEHICLES.

		Rs.	a.	p.
1	On every motor cycle with or without side-car and invalid carriage.	0	4	0
2	On every motor car or motor cab constructed or adapted to carry not more than seven persons including the driver.	1	0	0
3	On every four-wheeled motor vehicle constructed or adapted to carry eight persons or more including the driver.	2	0	0
4	On every goods vehicle	3	0	0
5	On every four-wheeled vehicle propelled by steam or motor power other than those specified above.	3	0	0
6	On every four-wheeled vehicle of the categories mentioned in items 4 and 5 above, if laden with timber, and entering the State at a frontier toll-bar.	6	0	0

B. VEHICLES OTHER THAN MOTOR AND STEAM VEHICLES.

		Rs.	a.	p.
1	On every four-wheeled carriage ...	0	8	0
2	On every two-wheeled carriage on springs, other than a jutka or ekka.	0	4	0
3	On every ekka or jutka, laden... ...	0	2	0
4	On every ekka or jutka, unladen ...	0	1	0
5	On every other vehicle on springs excluding a tricycle and a bicycle.	0	2	0
6	On every cart or other vehicle drawn by eight bullocks, buffaloes, horses, ponies, asses or mules, if laden.	1	0	0
7	On every cart or other vehicle drawn by eight bullocks, buffaloes, horses, ponies, asses or mules, if not laden.	0	8	0
8	On every cart or other vehicle drawn by six bullocks, buffaloes, horses, ponies, asses or mules, if laden.	0	8	0
9	On every cart or other vehicle drawn by six bullocks, buffaloes, horses, ponies, asses or mules, if not laden.	0	4	0
10	On every cart or other vehicle drawn by four bullocks, buffaloes, horses, ponies, asses, or mules, if laden.	0	6	0

		Rs.	a.	p.
11	On every cart or other vehicle drawn by four bullocks, buffaloes, horses, ponies, asses, or mules, if not laden.	0	3	0
12	On every cart or other vehicle drawn by two bullocks, buffaloes, horses, ponies, asses or mules, if laden.	0	4	0
13	On every cart or other vehicle drawn by two bullocks, buffaloes, horses, ponies, asses or mules, if not laden.	0	2	0
14	On every cart or other vehicle drawn by a single bullock, buffalo, horse, pony, ass or mule, if laden.	0	2	0
15	On every cart or other vehicle drawn by a single bullock, buffalo, horse, pony, ass or mule, if not laden.	0	1	0
16	On every cart or other vehicle, if laden with timber and entering the State at a frontier toll bar.	3	0	0

C. Animals, Palanquins, Etc.

1	On every buffalo or bullock per head, if laden ...	0	1	0
2	On every buffalo or bullock per head, if not laden ...	0	0	6
3	On every elephant	1	0	0
4	On every camel, if laden	0	4	0
5	On every camel, if not laden	0	2	0
6	On every horse, if laden or ridden	0	1	6
7	On every horse, if unladen or not ridden ...	0	0	9
8	On every thattu or mule, if laden or ridden ...	0	0	9
9	On every thattu or mule, if unladen or led ...	0	0	6
10	On every ass, if laden or ridden	0	0	6
11	On every Palanquin, dooly, palna or tonjon with two bearers or rickshaw.	0	2	0
12	On every palanquin, dooly, palna or tonjon with more than two bearers.	0	4	0

Provisos—

1. Double the rate of tolls prescribed above may be levied in the case of carts referred to in items 6, 8, 10, 12 and 14 of B, if laden and entering the State at a frontier toll bar.

2. Double the rate of tolls prescribed above may be levied in the case of carts referred to in items 6, 8, 10, 12, and 14 of B, when such carts are laden with timber.

3. The Government may prescribe lower rates of tolls than those prescribed in this Schedule on carts fitted with tyres over 2½ inches in width or with pneumatic tyres.

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THE THIRD SCHEDULE.

PART A.

(Section 15.)

RATE OF FEE FOR COMPOSITION OF TOLLS ON MOTOR VEHICLES.

Class of vehicles	Fees per quarter	
	For vehicles fitted with pneumatic tyres on all wheels	For other vehicles
1. MOTOR CYCLES AND INVALID CARRIAGES.	Rs. a. p.	Rs. a. p.
(*a*) Motor cycles with two wheels ...	7 8 0	10 0 0
(*b*) Motor cycles if used for drawing a trailer or side-car.	10 0 0	12 0 0
(*c*) Motor cycles with three wheels ...	10 0 0	12 8 0
(*d*) Invalid carriages ...	7 8 0	10 0 0
2. MOTOR CARS AND MOTOR CABS.		
(*a*) Weighing not more than 15 cwts. unladen.	17 8 0	25 0 0
(*b*) Weighing more than 15 cwts. but not more than 30 cwts. unladen.	25 0 0	37 8 0
(*c*) Weighing more than 30 cwts. but not more than 45 cwts unladen.	32 8 0	50 0 0
(*d*) Weighing more than 45 cwts. but not more than 60 cwts. unladen.	40 0 0	60 0 0
(*e*) Weighing more than 60 cwts. unladen.	50 0 0	75 0 0
(*f*) Additional fee payable in respect of such vehicles when used for drawing trailers :—		
(*i*) For each trailer not exceeding one ton in weight, unladen.	10 0 0	15 0 0
(*ii*) For each trailer exceeding one ton in weight, unladen.	20 0 0	30 0 0

Provided that two or more vehicles shall not be chargeable under this class in respect of the same trailer.

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PART B.

(*Section* 16.)

RATE OF FEE FOR COMPOSITION IN RESPECT OF A SINGLE TOLL BAR FOR CERTAIN VEHICLES.

Class of vehicle	Amount of annual fee		
	Rs.	a.	p.
(*a*) Motor cycles and invalid carriages ...	15	0	0
(*b*) Motor cars weighing not more than 30 cwts. in weight, unladen and not constructed or adapted to carry more than seven persons including the driver.	30	0	0
(*c*) Stage carriages	200	0	0
(*d*) Carts drawn by a single bullock or two bullocks.	7	8	0

THE FOURTH SCHEDULE.

(*Section* 15.)

ROADS AND BRIDGES.

(*i*)	The road and bridge over	... the Cauvery at T.-Narsipur.
(*ii*)	Do	... the Cauvery at Krishnarajasagara
(*iii*)	Do	... the Hemavati at Akkihebbal.
(*iv*)	Do	... the Hemavati at Gorur.
(*v*)	Do	... the Thunga at Thirthahalli.
(*vi*)	Do	... the Karagally in the Jog area.
(*vii*)	Do	... the Cauvery at Ramanathpur.

By Order of His Highness the Maharaja,

N. R. JAYA RAO,

Legal Remembrancer and
Secretary to Government,
Law Department.

Printed by the Director of Printing, Stationery and Publications at the Government Press, Bangalore

Reg. No M. 1175.

The Mysore Gazette

(PUBLISHED BY AUTHORITY)

Vol. 86] BANGALORE, THURSDAY, APRIL 12, 1951. [No. 15

PART IV

Section I-C.

NOTIFICATIONS, RULES, ORDERS, Etc., ISSUED UNDER CENTRAL ACTS AND ORDINANCES WHICH APPLY TO MYSORE.

NOTIFICATION.

No. C. 1707—Co. 6-50-4, dated Bangalore, the 28th March 1951.

Ordered that the following notifications issued by the Government of India, Ministry of Commerce and Industry, be republished in the *Mysore Gazette*, for general information.

(Cotton Textiles Control Order, 1948).

1. Notifications No. 80 Tex. 1/48, dated 2nd August 1948,
2. Do No. 9 (9) Tex. 1/49, dated 21st October 1950,

and 3. Do No. 9 (9) Tex. 1/49, dated 11th August 1950.

By Order of His Highness the Maharaja,

N. PUTTARANGASWAMY,
Secretary to Government,
Food and Agriculture Departments.

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GOVERNMENT OF INDIA.

MINISTRY OF INDUSTRY AND SUPPLY.

New Delhi, the 2nd August 1948.

No. 80-Tex. 1/48.—In exercise of the powers conferred by section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), the Central Government is pleased to make the following Order, namely :—

1. (i) This Order may be called the Cotton Textiles (Control) Order, 1948.
(ii) It extends to all the Provinces of India.
(iii) It shall come into force at once.

2. The Cotton Textiles (Control) Order, 1948 (Notification No. 80-Tex. 1/48, dated the 19th February 1948) is hereby repealed provided that any order made, notification issued, right accrued, penalty incurred, or anything done or deemed to have been done under the said Order shall be deemed to have been made, issued, accrued, incurred or done under the corresponding provisions of this Order.

3. In this Order, unless there is anything repugnant in the subject or context,—

(*a*) "Cloth" and "Yarn" mean respectively any type of cloth or yarn manufactured either wholly from cotton or partly from cotton and partly from any other material, but "cloth does not include—

(i) ready-made clothing other than dhoties and sarees ;

(ii) hosiery including hosiery knitted tubular fabric which has only a running thread knitted through the entire fabric ;

(iii) Leather cloth:—inferior or imitation leather cloth ordinarily used in book-binding and book-binding cloth ;

(iv) tracing paper ;

(v) cloth manufactured partly from cotton and partly from wool and containing 40 per cent or more of wool by weight ;

(vi) rubberised or synthetic water-proof fabrics whether single-textured or double-textured ;

(*b*) "Controller" means the principal officer appointed by a Provincial Government for the administration of the Textile Control and includes any other officer appointed by such Government to perform the functions of the Controller under this order or under the rules, orders and notifications issued thereunder ;

(*c*) "dealer" means a person carrying on the business of selling cloth or yarn or both, whether wholesale or retail and whether or not in conjunction with any other business and shall include master weavers of handloom cloth ;

(*d*) "manufacturer" includes a producer or processor, and the expression 'manufactured' and its grammatical variants shall be construed accordingly ;

(*e*) the expression 'offer to sell' shall be deemed to include a reference to an intimation by a person of the price proposed by him for the sale of an article, made by the publication of a price list by exposing the article for sale in association with or bearing a mark indicating price by the furnishing of a quotation or otherwise howsoever ;

(*f*) an article shall be deemed to be in the possession of a person when it is held on behalf of that person by another person or when held by that person on behalf of another person ;

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(*g*) "processor" means a person engaged exclusively in any process ancillary to the production of cloth or yarn such as dyeing, bleaching, embroidering, printing and finishing; and the expression 'process' and its grammatical variants shall be construed accordingly;

(*h*) "producer" means a person engaged in the production of cloth or yarn or both by power as defined in section 2 (f) of the Factories Act, 1934 and the expression 'produce' and its grammatical variants shall be construed accordingly;

(*i*) "schedule article" means an article specified in schedule A, and includes any other article declared by the Central Government to be scheduled article for the purposes of this order;

(*j*) "starch" means starch made from wheat, rice, maize, jowar or any other foodgrain or from tapioca or potatoes and includes derivatives of starch and any modified form of starch so made;

(*k*) "Textile Commissioner" means the Textile Commissioner appointed by the Central Government and includes such Additional or Joint Textile Commissioners as may be appointed by the Central Government.

Raw Materials and Stores.

4. No person shall manufacture starch other than starch made from tapioca except under and in accordance with the terms of a licence granted by the Textile Commissioner.

5. (1) Every importer of a scheduled article shall, within 15 days of the date of the arrival of the consignment containing such article, furnish to the Textile Commissioner the following information in respect of the consignment—

(*a*) description and quantity of each of the articles included in the consignment;

(*b*) the landed cost of each item together with invoices and all other documents evidencing the price, buying commission, insurance premium, freight, customs duty, landing and clearing charges paid up to the deposit of the consignment in the consignee's warehouse or other place of storage.

(2) No importer shall sell or otherwise dispose of any such scheduled article, imported by him except in accordance with the instructions given to him by the Textile Commissioner: provided that if the importer does not receive any such instructions from the Textile Commissioner within 30 days of the receipt by the Textile Commissioner of the information submitted under sub-clause (1), the importer may subject to the provisions of clauses 6, 8 and 30 dispose of the consignment.

6. No person shall sell or dispose of any scheduled article except under and in accordance with—

(*a*) a seller's licence granted to him by the Textile Commissioner;

(*b*) a direction given to him by the Textile Commissioner under clause 8.

7. No person shall purchase or otherwise acquire any scheduled article except under and in accordance with a buyer's licence granted by the Textile Commissioner.

8. The Textile Commissioner may by order in writing require any importer of or dealer in any scheduled article to sell to such person as may be specified in the Order such quantities of the scheduled article and in the case of a scheduled article

of which the maximum prices have not been fixed under clause 9 at such price, as may be specified in the Order.

9. (1) The Textile Commissioner may by notification in the *Gazette of India* fix the maximum prices or rate at which any scheduled article may be sold ;

(2) No person shall sell or offer to sell a scheduled article at a price exceeding maximum price specified under sub-clause (1).

10. (1) The Textile Commissioner may direct any person carrying on the business of producing or selling any scheduled article to mark such articles exposed or intended for sale with the sale price thereof, or to exhibit in his premises a price list of articles held by him for sale ; and may further give directions as to the manner in which such directions shall be carried out.

(2) The Textile Commissioner may by order published in the *Gazette of India* issued a direction of the nature specified in sub-clause (1) generally to all persons carrying on the business of producing or selling any scheduled article or to any person or any class of such persons.

11. (1) Applications for licences under this Order shall be made in such form as the Textile Commissioner may prescribe ;

(2) The Textile Commissioner may, without assigning any reason, refuse to grant a licence to any person and his decision shall be final ;

(3) The Textile Commissioner may specify in the licence the conditions, if any, under which it is issued and the licensee shall comply with such conditions ;

(4) The fees for the grant of a licence shall be such as the Textile Commissioner may, by notification in the official Gazette prescribe ;

(5) Subject to the provisions of sub-clause (6) the licence shall be valid for the period specified therein and may be renewed ;

(6) If the holder of a licence has supplied incorrect information in his application or in any return submitted by him or if he contravenes any condition of the licence, or if at any time the Textile Commissioner is satisfied that for any other reason the licensee is not a fit person to hold the licence, the Textile Commissioner may in his discretion and without prejudice to any other action which may be taken against the licensee, cancel or suspend his licence, and the order of the Textile Commissioner shall be final.

Cloth and Yarn.

12. (1) No producer who has a spinning plant shall in any quarter—

(*a*) purchase a quantity of yarn exceeding $\frac{1}{4}$ of the quantity of yarn purchased by him in the year 1944 ;

(*b*) sell a quantity of yarn less than $\frac{1}{4}$ of the quantity of yarn sold by him in the year 1944 ;

(2) No producer who has no weaving plant shall install or cause or permit to be installed any loom in his undertaking.

(3) No person shall acquire or install any loom to be worked by power as defined in section 2 (*f*) of the Factories Act, 1934.

(4) Any person having in his possession any loom which he is not entitled to work or cause or permit to be worked in accordance with this clause shall forthwith report the fact to the Controller and shall take such action as to its sealing or storage as the Controller may direct.

13. No person shall manufacture or cause to be manufactured any cloth containing any sizing or filling material or both of any descriptions exceeding in the aggregate—

(i) in the case of cloth wherein the count of warp yarn employed is 14s or coarser, 15 per cent of the weight of the cotton in the cloth;

(ii) in other cases, 10 per cent of the weight of the cotton in the cloth.

14. No person shall use wheat flour or glucose for the purpose of sizing or filling cloth.

15. No person shall sell or otherwise dispose of or purchase or otherwise acquire for the purpose of sale any cloth which has been manufactured in contravention of clause 13 or clause 14.

16. (1) For the purpose of Clauses 13 to 15 the proportion of sizing or filling material or both relative to the weight of the cotton in any finished cloth shall be determined by such test carried out by such person and in such manner as the Textile Commissioner, may, by notification prescribe.

(2) A certificate signed by an officer authorised to carry out tests in pursuance of sub-clause (1) stating the result of the test shall be conclusive proof that the test has been duly carried out in the manner prescribed and that the result thereof is as stated in the certificate.

17. * * *

18. * * *

19. No producer shall produce any cloth with a border whether plain, dobby or jacquard containing folded yarn in excess of what is required for a 2" border.

20. The Textile Commissioner may from time to time issue directions in writing to any producer or class of producers or the producers generally, regarding the classes or specifications of cloth or yarn, and the maximum or the minimum quantities thereof, which they shall or shall not produce during such periods as may be specified in the directions, and they shall comply with such directions.

20A. No producer other than a producer who has no spinning plant shall produce any article of clothing or any other article from cloth.

20B. (i) No producer shall employ any spindle in his undertaking except for the spinning of yarn;

(ii) No producer having a spinning plant shall employ any loom in his undertaking except for the weaving of cloth.

(iii) No producer shall produce any yarn from a mixture of Indian cotton with foreign cotton.

Explanation.—'Indian cotton' and 'Foreign cotton' respectively shall have the meanings assigned to them under the Cotton Control Order, 1949; but 'Foreign cotton' for the purposes of sub-clause (iii) does not include cotton grown in Pakistan.

20. No producer having a spinning plant shall undertake or carry out—

(*a*) any processing of any cloth or yarn not produced by him;

(*b*) the spinning of yarn out of cotton or cotton waste not owned by him.

21. (1) No manufacturer of cloth shall pack cloth except in bales containing not less than 1,450 yards and not more than 1,550 yards.

(2) No manufacturer of yarn shall pack yarn except in bales or packages containing not less than 380 lbs. and not more than 420 lbs.

(3) No manufacturer of cloth or yarn shall pack during any month a quantity of cloth or yarn less than—

(i) Eighty per cent of the total quantity of cloth or yarn respectively produced by him during the preceding month or

(ii) One-sixteenth of the total quantity of cloth or yarn respectively packed by him during the year 1948 whichever is lower.

(4) The Textile Commissioner, subject to sub-clauses (1) and (2) by a genera or special order, prescribe the manner in which any manufacturer shall pack cloth or yarn in bales or packages.

(5) No producer shall pack any cloth or yarn for export unless the same is covered by a contract of sale against a valid export licence.

22. (1) The Textile Commissioner may specify—

(*a*) the maximum prices ex-factory, wholesale and retail at which any class or specification of cloth or yarn may be sold;

(*b*) the markings to be made by a manufacturer or dealer on any class or specification of cloth or yarn manufactured or sold by him and the time and manner of making such markings.

(2) Notwithstanding anything contained in sub-clause (1) above the *Provincial Government* or *an officer authorised by the Provincial Government in this behalf may fix*—

(*a*) the ex-factory maximum price for the purpose of the special markings under clause 26 in respect of any type of cloth for which such price has not been specified by the Textile Commissioner under the said sub-clause;

(*b*) the maximum ex-factory, wholesale and retail at which any cloth produced by a manufacturer or other person referred to in the explanation to sub-clause (2) of clause 23 may be sold and may further specify the markings to be made on such cloth and the time and manner of making them;

(3) A Court shall presume unless the contrary is proved that the markings made on any cloth or yarn in the manner specified under this clause are made in accordance with this Order and that the prices so marked are the maximum prices specified under this clause.

23. (1) Where the marking to be made and the time and manner of making it in respect of any class or specification of cloth or yarn have been specified under clause 22,

(*a*) the manufacturer of, or, as the case may be, the dealer in such cloth or yarn shall cause the marking to be made thereon at the time and in the manner specified;

(*b*) no person other than such manufacturer or dealer shall cause the marking to be made on any such cloth or yarn;

(c) no person other than the manufacturer shall have in his possession or under his control any cloth or yarn which is not so marked, unless it be for *bona fide* personal requirements ;

(d) no person shall alter or deface or cause or permit to be altered or defaced any marking made on any such cloth or yarn held by him otherwise than for his *bona fide* personal requirements ;

(e) no person shall make on any cloth or yarn any marking resembling the prescribed marking :

(f) no person shall have in his possession or under his control otherwise that for this *bona fide* personal requirements any cloth or yarn the marking whereon is altered or defaced or is of a character specified in paragraph (e).

(2) No manufacturer shall sell or deliver—

(i) any cloth or yarn of which the maximum ex-factory price has not been specified by the Textile Commissioner under clause 22 ; and

(ii) any cloth unless he has previously sent to the Textile Commissioner a sample of such cloth of the dimensions of 6 " ×6 " together with true and accurate information, in the forms prescribed for this purpose by the Taxtile Commissioner, about the manufacturing particulars thereof and the manner in which its price has been calculated.

Explanation :—Nothing in this sub-clause applies to a manufacturer who does not manufacture any yarn or to a processor other than a processor of cloth or yarn produced by a producer having a spinning plant or to a person engaged in the production of handloom cloth.

(3) No person shall in the manufacture of cloth use yarn (other than handspun yarn) the maximum ex-factory price of which has not been specified by the Textile Commissioner under clause 22.

24. (1) No manufacturer or dealer shall sell or offer to sell any cloth or yarn at a price higher than the maximum price specified in this behalf under clause 22.

(2) Every sale of cloth or yarn by a dealer except to a consumer shall be at a price either F. O. R. station of despatch or ex-godown of storage at the buyer's option. Provided that the commission of a commission agent shall be paid by the buyer.

(3) No person acting as a commission agent in respect of a sale of cloth or yarn to which sub-clause (2) applies shall receive a commission which exceeds ½ per cent of the maximum price of the cloth or yarn the subject matter of such sale.

(4) The Textile Commissioner may by Notification in the Official Gazette provide for the giving of a cash memorandum by any manufacturer or dealer in respect of any sale transaction and for the particulars to be contained in any such cash memorandum.

(5) No manufacturer or dealer shall, without sufficient cause, refuse to sell cloth or yarn to any person.

Explanation :—The possibility or expectation of obtaining a higher price at later date shall not be deemed to be a sufficient cause for the purposes of this clause.

25. (1) Notwithstanding anything contained in sub-clause (2), no manufacturer or dealer shall, after the 30th November 1948, buy or sell or have in his possession any cloth or yarn manufactured in India and packed before the 1st August 1948.

(2) No manufacturer or dealer shall buy or sell or have in his possession any cloth or yarn after the expiration of twelve months from the last day of the

month marked on the cloth or yarn in accordance with a direction given under clause 22 and no person shall buy or sell or have in his possession any such cloth or yarn in unopened bales or cases after the expiration from the said date of a period of three months in the case of a manufacturer and a period of six months in any other case.

(3) For the purposes of this clause —

(i) a bale or case shall be deemed to be unopened if the hoops or other bindings and all outer coverings have not been removed;

(ii) cloth or yarn of Indian manufacture not bearing any markings in accordance with the directions under clause 22 shall, unless the contrary is proved, be deemed to have been manufactured and packed before the 1st August 1948.

(4) Nothing in this clause shall apply to handloom cloth.

26. Notwithstanding anything contained in sub-clauses (1) and (2) of clause 25, any cloth or yarn not disposed of within the period specified may be kept and sold by a dealer subject to the conditions notified in this behalf by the Textile Commissioner prescribing the special markings to be made on such cloth or yarn, the agency by which the marking shall be made and the fee payable for such marking:

Provided that no such cloth or yarn shall be kept undisposed of by any dealer, or any person holding on behalf of a dealer for more than six months after the date of such marking.

27. Wherein in pursuance of clause 22 (1) (*b*) or clause 26, any piece of cloth is required to be marked at one end with the ex-factory price or with the price at which it is to be sold retail, and the piece is not sold as a whole, that portion of the piece containing the price marking shall be sold last by the dealer.

28. (1) No producer shall, at any time, have in his possession—

(*a*) a quantity of unpacked cloth exceeding the total quantity of cloth produced by him during the preceding two months;

(*b*) a quantity of yarn exceeding—

(i) in the case of a person engaged in the production of yarn alone, the quantity of yarn produced by him during the preceding two months;

(ii) in the case of a person engaged in the production of cloth alone, the quantity of yarn reasonably required by him for producing cloth during the next two months; and

(iii) in the case of a person engaged in the production of cloth and yarn the sum total of the quantity of yarn reasonably required by him for the production of cloth during the next two months and the quantity equal to the yarn produced by him during the preceding two months over and above his own requirements during that period.

Explanation.—For the purposes of this sub-clause cloth on looms and yarn in the course of manufacture into cloth shall be excluded in computing the stocks in possession of a producer.

(2) No person engaged in manufacturing from cloth or yarn articles of clothing or other articles such as ropes, tapes, newar, bandages or canvas shall at any time have in his possession stocks of cloth or yarn in excess of the quantity of cloth or yarn used by him during the preceding two months in such manufacture.

(3) No dealer or processor shall at any time have in his possession stocks of cloth exceeding the total quantity of cloth sold by him during the preceding six months or exceeding such quantity as is fixed in this respect by a special order by

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the Textile Commissioner or by the Provincial Government or any Officer authorised by the Provincial Government in this behalf.

(4) No person shall at any time for his own needs and the needs of his family have in his possession a quantity of cloth exceeding the quantity calculated at the rate of 50 yards for every person above the age of 6 and 30 yards for every person who has not completed that age.

(5) Nothing in sub-clauses (2) and (3) applies to the possession by any person carrying on the business of banking of cloth or yarn pledged with him by a dealer or a manufacturer.

(6) For the purposes of sub-clause (2) any yarn agreed to be sold to a dealer by a manufacturer and of which delivery has not been taken by the due date shall be deemed to be in the possession of the dealer and not the manufacturer.

29. (1) Any person having in his possession cloth or yarn in excess of the quantity permitted under clause 28 shall forthwith report the fact, in the case of a manufacturer to the Textile Commissioner and in other cases to the Controller,

(2) Any manufacturer or dealer in possession of cloth or yarn in respect of which the period for disposal prescribed under clause 25 or under the proviso to clause 26 is about to expire may report the fact to the Textile Commissioner, or the Controller, respectively.

(3) Any person making a report under sub-clause (1) or sub-clause (2) shall take such action as to the storage, distribution or disposal of the cloth or yarn as the Textile Commissioner or the Controller may direct.

ADDITIONAL POWERS OF THE TEXTILE COMMISSIONER.

30. The Textile Commissioner may, with a view to securing a proper distribution of cloth or yarn or with a view to securing compliance with this order, direct any manufacturer or dealer, or any class of manufacturers or dealers.—

(*a*) to sell to such person or persons such quantities of cloth or yarn as the Textile Commissioner may specify ;

(*b*) not to sell or deliver cloth or yarn of a specified description except to such person or persons and subject to such conditions as the Textile Commissioner may specify ; and

may issue such further instruction as he thinks fit regarding the manner in which the direction is to be carried out.

31. The Textile Commissioner may, with a view to securing compliance with this order.—

(*a*) require any person to give such information in his possession with respect to any business carried on by that or any other person ;

(*b*) Inspect or cause to be inspected any books or other documents belonging to or under the control of any person ;

(*c*) enter and search, or authorise any person to enter and search, any premises and seize or authorise any person to seize any article in respect of which he has reason to believe that a contravention of this order has been committed and any other article in the premises which he has reason to believe has been or is intended to be used in connection with such contravention.

32. (1) The Textile Commissioner may, by an order, in writing direct any person who carried on the business of producing or selling a scheduled article.—

(*a*) to maintain such records of his purchases, sales. contracts, or other matters connected with his undertaking or business and in such form and manner as may be specified in the order :

(*b*) to submit to such authority returns or statements in such forms and containing such information relating to his undertaking or business and at such times as may be specified in the order.

(2) The Textile Commissioner may by general order published in the *Gazette of India* issue a direction of the nature specified in sub-clause (1) generally to any class of persons referred to therein.

33. (1) The Textile Commissioner may by a general or special permit exclude from or modify or relax to such extent as may be specified by him, the operation of any such provision in respect of any person , act or thing in any class of persons acts or things.

(2) The Textile Commissioner may in any such permit impose conditions imitations and restrictions subject to which such permit shall have effect.

(3) Notwithstanding anything contained in this order, the provisions of the clauses specified in Schedule C shall haye effect subject to the powers of the Textile Commissioner under sub-clauses (1) and (2) to withdraw, modify, or relax any or all of the restrictions enacted in those provisions.

34. The Textile Commissioner may by a general oy special order in writing and with the previous sanction of the Central Government authorise any officer to exercise on his behalf all or any of his functions and powers under this order.

PROCEDURE AND PENALTY.

35. No person shall, with intent to evade the provisions of this order, refuse to give any information lawfully demanded from him under clause 31 or clause 32, or conceal, destroy, mutilate, or deface any book or other document kept by him in the course of his business.

36. * * * *

37. Any court trying a contravention of any of the provisions of this order may direct that any article or articles in respect of which it is satisfied that the order has been contravened shall be forfeited to His Majesty.

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SCHEDULE 'A'

I. Cotton Card Clothing and Card Clothing Sundries for Flat Cards :—

1. Cylinder Fillet.
2. Doffer Fillet.
3. Sets of Top.
4. Stripping Fillet.
5. Burnishing Fillet.
6. Hand Stripping Cards.
7. Waltons Bruses
8. Spiral Strips.
9. Phillipsons Sheets.
10. Philliprons Top Clearer Strips.
11. Ashworths Top Clearer Strips.
12. Ashworths Dirt Roller Fillet.
13. Rhodes Stripping Fillet.
14. Lickerin Wire.
15. Blued Steel Wire for Roving Waste opener.
16. Card Tasks.
17. Raising Fillet.

For Waste and Wedding Cards :—

18. Cylinder Fillet.
19. Doffer Fillet.
20. Roller Fillet.
21. Clearer Fillet.
22. Fancy Fillet.
23. Under Clearer Fillet.
24. Fancy Stripper Fillet.
25. Humbug Fillet.
26. Feed Roller Fillet.
27. Lockerin Fillet.
28. All other card Clothing and Sundries.

II. BOBBINS FOR USE on Textile Machines other than Jute and Hemp :—

1. Slubbing Tubes.
2. Roving Tubes.
3. Ring Rabbeth.
4. Ring Weft Pirns (including Universal and Wadia Pirns).
5. Ring Baubler Bobbins.
6. Warper Bobbins.
7. Paper Tubes and Cones.

III. Shuttles for use in Textile Looms other than Jute and Hemp.

1. Shuttles for Looms (Ordinary).
2. Shuttles for Looms (Automatic).

IV. Imported Tallow.

V. Dyes derived from Coal-tar.

VI. Hydrosulphite of Soda.

VII. Starch.

VIII. Ring Spinning frames and Mules for Mules for manufacture of Cotton yarn.

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SCHEDULE 'C'

Clauses 4, 6, 7, 12, 13, 14, 15, 17, 18, 19, 21, 23, 25 and 28.

M. P. PAI,
Joint Secretary.

18th November 1950.

New Delhi, the 21st October 1950.

No. 9 (2)-Tax. 1—49. In exercise of the powers conferred by section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), the Central Government is pleased to direct that the following further amendments shall be made in the Cotton Textiles (Control) Order, 1948.

In the said Order—

(*a*) for sub-clause (ii) of clause 1 the following sub-clause shall be substituted, namely :—

"(i) it extends to the whole of India except the State of Jammu and Kashmir."

(*b*) for clause 2 the following clause shall be substituted, namely :—

"2. The Cotton Textiles (Control) Order, 1948 (Notification No. 80-Tex, 1—48, dated the 19th February 1948) and any order corresponding to that order in force in a part B State are hereby repealed."

Provided that any order made, notification issued, right accrued, penalty incurred or anything done deemed to have been done under the orders so repealed shall be deemed to have been made, issued, accrued, incurred or done under the corresponding provisions of this Order.

2A. All Orders, notifications and directions issued or deemed to have been issued under this order, which, immediately before 21st October 1950 were in force only in certain parts of India, are hereby extended to and shall be in force in the whole of India except the State of Jammu and Kashmir."

K. RAM,
Dy. Secy. to the Government of India.

GOVERNMENT OF INDIA.

MINISTRY OF INDUSTRY AND SUPPLY,

Bombay, the 2nd August 1948.

No. 80-Tex. 1—48 (ii). In exercise of the powers conferred on me by clause 34 of the Cotton Textiles (Control) Order, 1948 and with the sanction of the Central Government, I hereby authorise the principal officer appointed by each Provincial Government for the administration of the textile control to discharge on my behalf the function under clause 22(1) of the said order to specify in relation to sales made with in his jurisdiction by dealers the maximum wholesale and retail prices of cloth and yarn provided that where the maximum ex-factory price has been fixed by the Textile Commissioner under this order in respect of any cloth or yarn, the maximum retail price shall not exceed the amount of excise duty levied under the Central Excise and Salt Act, 1944 (I of 1944) and the amount of Sales Tax if any levied by any Provincial or State Government *plus* in the case of cloth 14 per cent and in the case of yarn 12½ per cent over such maximum ex-factory price.

27th December 1950.

T. P. Barat, Textile Commr.

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NOTIFICATION.

No. C. 2--40-50-16, Dated Bangalore, 2nd April 1951.

Ordered that the accompanying notification No. PC-7 (1)—50, dated the 12th March 1951, of the Government of India, Ministry of Commerce and Industry under the Supply and Prices of Goods Act, 1950 (No. LXX of 1950) be republished in the *Mysore Gazette* for general information.

By Order of His Highness the Maharaja,

N. PUTTARANGASWAMY,
Secretary to Government,
Food and Agriculture
Departments.

GOVERNMENT OF INDIA.

MINISTRY OF COMMERCE AND INDUSTRY.

NOTIFICATION.

New Delhi, the 12th March 1951.

No. PC-7 (1)/50.—In exercise of the powers conferred by sections 4,7,9,10,13 and 19 of the Supply and Prices of Goods Act, 1950 (No. LXX 1950), and all other powers enabling it in this behalf, the Central Government hereby directs that the following amendment shall be made in the notification of the Government of India in the late Ministry of Industry and Supply No. S.R.O. 503, dated the 2nd September 1950, namely:—

In sub-clause (ii) of clause (*b*) of the said notification for the words "Director-General of Industries and Supplies" the words "Deputy Development Officer (Chemicals, Drugs and Plastics)" shall be substituted.

ORDER.

Ordered that a copy of the above Notification be communicated to all Governments of Parts A and B States (except Jammu and Kashmir), all Chief Commissioners of Part C States including Andaman and Nicobar Islands; all Ministries of the Government of India, Cabinet Secretariat; Prime Minister's Secretariat; Secretary to the President; the Indian Trade Commissioners; all Indian Embassies; the High Commissioner for India, London; His Majesty's Trade Commissioner in India; all Chambers of Commerce and Associations; the Director-General of Commercial Intelligence and Statistics, Calcutta; the High Commissioner for India in Pakistan, Karachi; the High Commissioner for Pakistan in India, New Delhi; the Secretary, Indian Tariff Board and the Secretary, Planning Commission.

Ordered also that it be published in the *Gazette of India.*

P. S. SUNDARAM
Under Secretary to the Government of India.

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NOTIFICATION.

No. C. 4—40-50-18, Dated Bangalore, 4th April 1951.

Ordered that the accompanying notification No. PC-17 (3)—50-2, dated the 15th March 1951, of the Government of India, Ministry of Coinmerce and Industry under the Supply and Prices of Goods Act, 1950, (LXX of 1950) be republished in the *Mysore Gazette*, for general information.

By Order of His Highness the Maharaja,

N. PUTTARANGASWAMY,
Secretary to Government,
Food and Agriculture
Departments.

GOVERNMENT OF INDIA.

MINISTRY OF COMMERCE AND INDUSTRY.

NOTIFICATION.

New Delhi, the 15th March 1951.

No. PC-17 (3)/50-2.—In exercise of the powers conferred by section 10 of the Supply and Prices of Goods Act, 1950 (LXX of 1950) and in supersession of all previous notifications on the subject, the Central Government hereby directs that—

(*a*) every wholesale dealer in goods specified in the Schedule hereto annexed shall exhibit at some easily accessible place on the premises a price list of such goods held for sale: and

(*b*) every retail dealer in such goods shall mark such goods, exposed or intended for sale, with the retail sale price or where such marking of retail sale price is not practicable, exhibit a price list of such goods at some easily accessible place on the premises.

THE SCHEDULE.

1. Bicycles.
2. Bicycle tyres and tubes.
3. Electric bulbs.
4. Caustic soda.
5. Soda ash.
6. Tanning materials (wattle bark and wattle extract).
7. Infants' foods (Glaxo, Harlicks, Cow and Gate Milk and Ostermilk).

ORDER.

Ordered that a copy of the above Notification be communicated to all Governments of Parts A and B States (except Jammu and Kashmir), all Chief Commissioners of Part C States including Andaman and Nicobar Islands, all Ministries of the Government of India, Cabinet Secretariat, Prime Minister's Secretariat, Secretary to the President, the Indian, Trade Commissioners, all Indian Embassies, the High Commissioner for India, London, His Majesty's Trade Commissioner in India, all Chambers of Commerce and Associations, the Director-General of Commercial Intelligence and Statistics, Calcutta, the High Commissioner for India in Pakistan, Karachi, the High Commissioner for Pakistan in India, New Delhi, the Secretary, Indian Tariff Board and the Secretary, Planning Commission.

Ordered also that it be published in the *Gazette of India*.

B. B. SAKSENA,
Deputy Secretary to the
Government of India

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NOTIFICATION.

No. C. 6—40-50-21, Dated Bangalore, 4th April 1951.

Ordered that the accompanying Notification No. PC. 7 (8)/50, dated the 21st March 1951, of the Government of India, Ministry of Commerce and Industry, under the Supply and Prices of Goods Act, 1950 (No. LXX of 1950) be republished in the *Mysore Gazette* for general information.

By Order of His Highness the Maharaja,

N. PUTTARANGASWAMY,
Secretary to Government,
Food and Agriculture
Departments.

GOVERNMENT OF INDIA.

MINISTRY OF COMMERCE AND INDUSTRY.

NOTIFICATION.

New Delhi, the 21st March 1951.

No. PC-7 (8)/50.—In exercise of the powers conferred by Section 4 of the Supply and Prices of Goods Act, 1950, (No. LXX of 1950), and in supersession of the Notification of the Government of India in the late Ministry of Industry and Supply No. S.R.O. 503, dated the 2nd September 1950, in so far as it relates to the fixation of maximum price of Caustic Soda imported from the United Kingdom, the Central Government hereby fixes the following Schedule of maximum price of the said type of Caustic Soda.

SCHEDULE.

Variety of Caustic Soda (1)	Maximum price at Bombay (2)	Maximum price that may he charged by a distributor (3)	Maximum price that may be charged by a wholesale dealer (4)	Maximum price that may be charged by a retail dealer (5)
Caustic Soda (Solid) 661 lb. drums.	Rs. 35-15-0 per cwt.	The price specified in col. 2 *plus* (*a*) actual railway freight by goods train from Bombay to the place of destination, and (*b*) handling charges not exceeding annas eight per cwt.	The price specified in col. 3 *plus* a margin not exceeding annas eight per cwt.	The price specified in col. 4 *plus* a margin not exceeding Rs. 1-12-0 per cwt.

NOTE :—This price is exclusive of the local taxes such as Sales Tax, Octroi, etc., which may be charged extra.

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ORDER.

Ordered that a copy of the above Notification be communicated to all Governments of Parts A and B States (except Jammu and Kashmir); all Chief Commissioners of Part C States including Andaman and Nicobar Islands; all Ministries of the Government of India; Cabinet Secretariat; Prime Minister's Secretariat; Secretary to the President; the Indian Trade Commissioners; all Indian Embassies; the High Commissioner for India, London; His Majesty's Trade Commissioner in India; all Chambers of Commerce and Associations; the Director-General of Commercial Intelligence and Statistics, Calcutta; the High Commissioner for India in Pakistan, Karachi; the High Commissioner for Pakistan in India, New Delhi; the Secretary, Indian Tariff Board and the Secretary, Planning Commission.

Ordered also that it be published in the *Gazette of India*.

B. B. SAKSENA,
Deputy Secretary to the
Government of India.

Printed by the Director of Printing, Stationery and Publications
at the Government Press, Bangalore.

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PART IV

Section 2-A

BILLS, SELECT COMMITTEE REPORTS, IF ANY, THEREON AND ACTS AND ORDINANCES OF MYSORE.

NOTIFICATION.

No. 23—L.A., Bangalore, dated 9th April 1951.

As required by Standing Order 36 of the Legislative Assembly Standing Orders the report of the Select Committee on the Mysore Village Panchayets and District Boards Bill, 1951, with the amended Bill is hereby published.

G. S. VENKATARAMANA IYER,
Secretary,
Mysore Legislature.

MYSORE LEGISLATIVE ASSEMBLY.

Budget Session, March-April 1951.

REPORT OF THE SELECT COMMITTEE ON THE MYSORE VILLAGE PANCHAYETS AND DISTRICT BOARDS BILL, 1951.

(Presented on 5th April 1951.)

We, the Members of the Select Committee to which the Mysore Village Panchayets and District Boards Bill, 1951, was referred, have considered the several clauses of he Bill in detail and have the honour to submit the ollowing report:

Clause 2—Item (11).—We recommend that this definition of "panchayetdar" may be omitted as that word will not occur in the Bill in view of other recommendation made by the Committee.

Item (13).—We recommend that the definition of "private market" may be omitted, as in our view, there should be no provision for private markets in future.

Clause 3 (2).—Some of us think that in the less thickly populated parts of the State like the Malnad areas, a minimum population of 2,000 for the establishment of a Panchayet may be an unduly large number and we therefore consider it desirable to give power to the Government under this Bill to set up Panchayets for a smaller population in exceptional cases. We accordingly recommend that for sub-clause (2) of Clause 3, the following proviso may be added:

> "Provided that the Government may in exceptional cases establish a Panchayet for a village or a group of villages with a population of less than 2,000 but more than 1,000."

Clause 6.—In regard to the reservation of seats in a Panchayet for the Scheduled Castes, we are of the opinion that in accordance with the spirit of the Constitution, seats should be reserved in the proportion of their

population. We accordingly recommend that Clause 6 may be recast as follows:

"6. Seats shall be reserved in a Panchayet for the Scheduled Castes, the number of such seats bearing as nearly as may be the same proportion to the total number of seats in the Panchayet as the population of the Scheduled Castes in the village or group of villages served by a Panchayet bears to the total population of the village or villages:

Provided that at least one seat shall be reserved in a Panchayet for the Scheduled Castes:

Provided further that this section shall cease to have effect after ten years from the commencement of this Act."

Clause 8.—As the date on which a person completes twenty-one years of age in order to render him eligible to vote has to be determined with respect to each election, we recommend that after the words "twenty-one years of age" the words "on such date with reference to each election as may be prescribed by the Government" may be added.

Clause 9.—In item (*o*) of this Clause we recommend that the words "or whipping" may be omitted.

Clause 10.—We feel that candidates for election to a Panchayet should be not less than twenty-five years of age and we accordingly recommend that in Clause 10 after the word "election" the words "and is not less than twenty-five years of age on the date appointed for the presentation of nominations" may be inserted.

Clause 11.—In our opinion, the recommendation of a Panchayet on which the Commissioner may take action to remove a member should be a recommendation passed by a two-thirds majority. We accordingly recommend that for the words "on the recommendation of a Panchayet, remove any member, elected under this Act" the words "on a resolution of a Panchayet for the removal of a member, passed by a majority of not less than two-thirds of the total number of members, remove such member".

Clause 15.—We consider it unnecessary to provide for a Vice-Chairman for a Panchayet. We accordingly recommend that sub-clause (2) of this clause may be deleted and references to Vice-Chairman in this Clause, in Clause 16 and in the other Clauses of this bill may be omitted.

Clause 19 (3).—While we agree that the quorum for the meeting of a Panchayet should not be less than half, we consider it unnecessary to require such a large number for an adjourned meeting. We accordingly recommend that at the end of sub-clause (3) the following words may be inserted :

> "If at the time appointed for the meeting or within half an hour thereafter a quorum is not present, presiding authority shall adjourn the meeting to such hour on the same day or on some future day as he may fix. He shall similarly adjourn the meeting at any time after it has begun if his attention is drawn to the want of a quorum. At such adjourned meeting, the business which would have been brought before the original meeting shall be transacted whether there is a quorum present or not provided that not less than five members are present."

Clause 19. (6) We recommend that for the word "Panchayetdars" the words "members of the Panchayet" may be substituted.

Clause 20.—In sub-clause (1), for the words "every Panchayet shall employ" we recommend that the words "every Panchayet may employ" may be substituted in order to make it clear that the appointment of specified officers and servants is not a mandatory but only an empowering provision.

Clause 21.—We recommend that sub-clause (2) may be omitted as we have recommended the deletion of all provisions relating to Vice-Chairman of a Panchayet.

We recommend that the limit up to which the Chairman may pass bills and sanction estimates may be raised from Rs. 25 to Rs. 50 and the limit for incurring contingent expenditure may be decreased from Rs. 10 to Rs. 5, and we accordingly recommend that in item (1) for the

letters and figures "Rs. 25" the words "fifty rupees", and in item (2) for the letters and figures "Rs. 10", the words "five rupees" may be substituted.

Clause 23.—At the commencement of item (8) of this Clause we recommend that the word "establishment" may be inserted.

In item (20) we recommend that the word "sevadals" may be omitted as it is covered by the prior and subsequent clauses of this item.

In item (22) we recommend that the words "within a distance of 220 yards from the village" may be omitted.

We consider it unnecessary to make it an obligatory function of a Panchayet to attend to the matters set out in items (20) and (21). We accordingly recommend that these two items subject to the changes recommended above, may be transferred to Clause 24.

Clause 24.—We recommend that in item (6) after the word "education" the words "library and reading rooms" may be inserted.

We recommend that for the words "rural medicine" in item (13) the words "medical aid" may be substituted.

We consider it desirable to make the subjects referred to in items (3), (4), (10) and (12) of this Clause obligatory functions of a Panchayet and we accordingly recommend that these items may be taken over to Clause 23.

We feel that the exercise of the discretionary functions should not merely be subject to rules of the Government but should also be subject to prior approval of the Commissioner in each case. We accordingly recommend that at the commencement of this Clause after the words "in this behalf" the words "and subject to the previous approval of the Commissioner" may be inserted.

Clause 29.—In sub-clause (1) we recommend that for the words "within a month" the words "within two months" may be substituted.

Clause 38.—We have examined in great detail the question of proportion of land revenue to be assigned to the Panchayets. We consider it better to assign a specific

portion to a Panchayet so that it might be in a position to frame its own budget on the basis of ascertained income. We accordingly recommend that in sub-clause (1) for the words "ordinarily assign to a Panchayet an amount equal to six and one-fourth per cent of the land revenue" the words "asssign to a Panchayet an amount equal to twelve and a half per cent of the land revenue" may be substituted and that sub-clause (2) may be deleted and sub-clause (3) may be suitably amended.

Clause 39.—We recommend that sub-clauses (1) and (2) of this Clause may be recast as follows:

"39. (1) The Panchayet shall determine the rates of tax on all houses, shops or places of trade or business, vacant sites, *hittals* and carts kept in the village or villages within its jurisdiction, not exceeding the maxima specified in Schedule I.

(2) When the rates of tax leviable are determined by the Panchayet under sub-section (1), the Secretary of the Panchayet shall prepare an assessment list in accordance with rules and bye-laws made in this behalf and the list so prepared shall be subject to the approval of the Panchayet. The assessment shall be recovered by the Secretary in such manner as the Panchayet may determine by bye-laws made in this behalf."

We recommend that in sub-clause (3) for the word "Secretary" the word "Panchayet" may be substituted.

Clause 42.—As we are informed that it may not be in order to provide for levy of taxes without specifying the taxes or setting out the maximum rate at which the levy could be made, we recommend that this Clause may be recast as follows:

"42. (1) A Panchayet may, subject to bye-laws made by it in this behalf, levy a tax on shandies, fairs and festivals at rates not more than the rates specified in Schedule III:

Provided that the levy of such tax is agreed to by not less than two-thirds of the total number of members of a Panchayet.

(2) Any tax specified in sub-section (1) may be cancelled with the previous sanction of the Government.

(3) The Secretary shall assess and take action to recover any such tax as is levied under sub-section (1)."

Original Clause 43.—For the reasons which are set out in respect of Clause 42, we recommend that this Clause may be deleted and that if at any time the Government consider it necessary to empower and permit a Panchayet to levy any other tax, cess or rate they may bring an amendment to the Bill for this purpose subsequent clauses may be re-numbered.

Clause 47 (Original Clause 48).—In sub-clause (4) of this Clause we recommend that the following item may be added at the end :

"(*v*) adequate closing balance has been provided for."

Clause 50 (Original Clause 51).—We consider it desirable to specify in the Bill itself the number of seats to be allocated to each District Board as all the districts in the State are not uniformly populated and any allocation on the basis of population must secure proper representation in some of the thinly populated districts. We accordingly recommend that sub-clause (2) may be recast as follows :—

"(2) The total number of seats in a District Board specified in the first column of the Fourth Schedule shall be the number specified in the second column thereof opposite to that district."

Clause 52 (Original Clause 53).—We recommend that the seats to be reserved for the Scheduled Castes in a District Board should have the same proportion to the total number as the population of the Scheduled Castes bears to the total population of the district. We accordingly recommend that sub-clause (2) may be recast as follows :—

"(2) The number of such seats shall bear, as nearly as may be, the same proportion to the total number of seats in the District Board as the population of the Scheduled Castes in the district bears to the total population of the district

Provided that at least one seat shall be reserved in a District Board for the Scheduled Castes :

Provided further that this section shall cease to have effect after ten years from the commencement of this Act :

Provided further that the second proviso to this section shall not affect any representation in a District Board until the expiry of the term of office of its members."

Clause 54 (Original Clause 55).—In item (*a*) of sub-clause (1) (A) we recommend that the words "or whipping" may be omitted.

In item (*a*) of sub-clause (1) (B) we recommend that after the words "District Board" the words "Village Panchayet or any other local body" may be added.

We recommend that in item (*c*) of sub-clause (2) for the words "four consecutive months from the District for which the Board is established" the words "three consecutive meetings of the Board" may be substituted.

We recommend that sub-clause (3) of this Clause may be recast as follows :—

"(3) If any question arises whether any person is disqualified under this section or disabled from continuing as a member, the question shall be referred for the decision of the Government and its decision shall be final."

Original Clause 57.—As the cases which might arise under sub-clause (1) of this Clause are covered by the provisions of sub-clauses (2) and (3) of Clause 55, we consider it unnecessary to repeat the same provisions and we accordingly recommend that this clause may be completely deleted and subsequent clauses re-numbered suitably.

Clause 57 (1) (Original Clause 59. (1)—We recommend that the words and figures "or the date of the order or proceeding under section 58" may be deleted as unnecessary.

We recommend that for the words "deposit of fifty rupees as security for costs" the words "deposit of one hundred rupees as security for costs" may be substituted

Clause 61 (*Original Clause 63*).—We recommend that the words "or has refused to act as a member" occurring at the end of this Clause may be omitted.

We consider it necessary to require the support of at least two-thirds of the members for any recommendation of the District Board for the removal of a member on which the Government may take action. We accordingly recommend that for the words "on the recommendation of a District Board, remove any member of such Board" the words "on a resolution of a District Board for the removal of a member of such Board, passed by a majority of not less than two-thirds of the total number of members of the Board, remove such member" may be substituted.

Clause 62 (*Original Clause 64*).—In order to avoid any possible friction between an outgoing President and an incoming President, we recommend that the proviso to sub-clause (1) may be recast as follows:—

> "Provided that notwithstanding the expiry of his term, a President or Vice-President shall continue in office until three of the clock on the day prior to the day appointed for the election of the next President."

Clause 64 (*Original Clause 66*).—We recommend that this Clause may be recast as follows:—

> "The jurisdiction of a District Board shall extend over the area of the district for which the District Board has been established except areas excluded from its jurisdiction under section 49."

Clause 68 (*Original Clause 70*).—In view of the enlarged powers and responsibilities of District Boards, we consider it desirable to provide for meetings once in every two months instead of once in every three months.

We therefore recommend that in sub-clause (1) for the words "once in every three months" the words "once in every two months" may be substituted.

Since the expression "quarterly meeting" which is used in the subsequent provisions of this Clause for such meetings, would become inappropriate, we recommend that for the words "quarterly meeting" wherever they

occur, the words "ordinary meeting" may be substituted and after the words "two months" as recommended in sub-clause (1) of Clause 68, the brackets and words "hereinafter in this section called ordinary meeting" may be inserted.

We have recommended that Clause 62 may be amended so that an outgoing President would vacate his office on the day prior to the day appointed for the election of the new President. It will be therefore necessary to provide for a presiding officer for the first meeting of a reconstituted Board. We are of the opinion that the Deputy Commissioner of the District should be the officer who should preside over such a meeting, but that the date of the first meeting should be fixed by the Chief Executive Officer. We accordingly recommend that in item (a) of sub-clause (2) of this Clause for the words "fixed by the Deputy Commissioner" the words "fixed by the Chief Executive Officer and the Deputy Commissioner shall preside at such meeting" may be substituted.

Sub-clause (3) of this Clause provides that the minutes book shall be open to inspection by any member of the Board or by any inhabitant of the district. We consider it sufficient if this right to inspection is limited to members of the Board and to persons entitled to vote for elections to the Board. We accordingly recommend that for the words "by any inhabitant of the district" occurring at the end of this sub-clause, the words "by any person entitled to vote for elections to the District Board" may be substituted.

Clause 71 (Original Clause 73).—Since the function of watching over the financial and executive administration of the Board is conferred on the president also under Clause 65, we consider it unnecessary to allot this function independently to the Chief Executive Officer also. We accordingly recommend that item (3) of this Clause may be deleted.

Clauses 72 and 73 (Original Clauses 74 and 75).—In our view, the Chief Executive Officer may execute contracts or agreements where the amount or value of such contract or agreement does not exceed one thousand rupees, he may execute such contracts or agreements between one thousand rupees and three thousand rupees with the

approval of the President and in all other cases he can execute such contracts or agreements only with the previous approval of the Board and in any case he should report to the Board within fifteen days of such execution the fact of the execution of any contract whatsoever. We accordingly recommend that sub-clause (2) of Clause 72 may be recast as follows:—

"(2) In respect of matters which he is empowered to carry out under the provisions of this Act, the Chief Executive Officer may execute contracts or agreements on behalf of the District Board where the amount or value of such contract or agreement does not exceed one thousand rupees and he may execute such contract or agreement on behalf of the District Board with the previous approval of the President where the amount or value of such contract or agreement exceeds one thousand rupees but does not exceed three thousand rupees and in all other cases he shall execute a contract or agreement only with the approval or sanction of the District Board."

We recommend that Clause 73 may be recast as follows:—

"73. Where a Chief Executive Officer enters into contract or agreement on behalf of a District Board, he shall report the fact to the District Board within fifteen days thereof."

Clause 74 (Original Clause 76).—The personal liability for misappropriation referred to in the proviso to this Clause should, in our opinion, apply not only to misappropriation to which a member of a District Board has been a party but also in respect of misappropriation of money or other property entrusted to him as member. We accordingly recommend that after the words "or other property of the Board" occurring in this proviso, the words "entrusted to him as member or" may be inserted.

Clause 77 (Original Clause 79).—We consider it sufficient if the President is made *Ex-officio* Chairman of the Standing and Audit Committees. The Vice-President should be the Chairman of the Public Health and the Scheduled Castes Amelioration Committees. We

accordingly recommend that sub-clause (2) may be recast as follows :—

"(2) The President of the District Board shall be a member and the Chairman of the Standing Committee and the Audit Committee and the Vice-President of the District Board shall be a member and the Chairman of the Public Health Committee and the Scheduled Castes Amelioration Committee and in the absence of the Chairman the Committee may appoint any other member to officiate as Chairman."

We consider it desirable to specify the number of members of the Board belonging to the Scheduled Castes who should serve on the Scheduled Castes Amelioration Committee, and we accordingly recommend that the second proviso to sub-clause (3) may be recast as follows :—

"Provided further that the Scheduled Castes Amelioration Committee shall consist of not more than nine members of whom not more than six members shall be the Scheduled Castes members of the Board."

Clause 78 (Original Clause 80).—We think that the Public Health Committee should perform only such duties and exercise such powers as may be delegated by the Board and we accordingly recommend that in sub-clause (3) for the words "The Public Health Committee shall perform the duties and exercise the powers of the Board" the words "The Public Health Committee shall perform such duties and exercise such powers of the Board as may be delegated to it by the Board" may be substituted.

In sub-clause (4) we recommend that for the words "shall supervise" the words "shall watch over" may be substituted.

Clause 80 (Original Clause 82).—In sub-clause (4) we recommend that for the words and brackets "shall be entitled to (and ordinarily shall on the invitation of the President of a District Board)" the words "shall ordinarily on the invitation of the President of a District Board" may be substituted.

Clause 87 (Original Clause 89).—We consider unnecessary to provide for travelling allowances to members as a discretionary duty and we recommend that item (7) of sub-clause (A) may be transferred to Clause 111 which relates to the application of District Fund.

In item (9) of the same sub-clause, it is necessary, in our view, to empower a District Board to provide for accommodation to servants of an institution to which the Board makes regular grants. We accordingly recommend that in this item after the words "District Board" the words "or belonging to any institution to which the Board makes regular grants" may be inserted.

In item (5) of sub-clause (B) we recommend that for the word "matter" the word "measure" may be substituted and that after the words "safety or convenience" the words "material or moral development of the people" may be inserted.

Clause 88 (Original Clause 90). We recommend that for the words "A District Board may agree" the words "A District Board may enter into an agreement" may be substituted.

Clause 90 (Original Clause 92). —We recommend that for the words "after consultation with the Board" occurring at the end of the Clause, the words "with the consent of the Board" may be substituted.

Clause 92 (Original Clause 94).—We recommend that for Clause 92, the following Clause may be substituted.

> "92. Every District Board shall render such technical assistance as may be available with it and as may be required by the Village Panchayets within the district free of cost and it shall be lawful for a District Board to supplement works of development undertaken by a Panchayet within the district by taking up schemes which are beyond the powers of the Panchayets to execute."

Clause 96 (Original Clause 98).—We recommend that sub-clause (2) may be deleted as these matters could be provided by the rules.

We recommed that in sub-clause (3) which may be re-numbered as sub-clause (2), for the words "without the

sanction of the Government" the words "without the sanction of the Board" may be substituted.

Clause 97 (Original Clause 99.)—We recommend that in sub-clause (1) the words "either private or public" may be deleted.

We also recommend that sub-clauses (3) and (4) may be deleted.

We recommend that in sub-clause (6) for the words "the local authority concerned" the words "the Panchayet or the District Board concerned" may be substituted.

Clause 98 (Original Clause 100).—We recommend that for the word and figure "Schedule III" the word and figure "Schedule V" may be substituted.

Clause 99 (Original Clause 101).—We are of the opinion that the right of appeal against the orders of the Chief Executive Officer on applications for licenses under this Part should lie not to the Commissioner but to the Board and we accordingly recommend that for the words "the Commissioner" occurring in sub-clause (1) the words "the Board" may be substituted.

Clause 106 (Original Clause 108).—We considered in great detail this provision relating to the assignment of certain revenues to the District Boards and we recommend that the word "ordinarily" occurring in sub-clauses (1) and (2) may be deleted.

We further recommend that in sub-clause (3) for the words "entire cess on land revenue and excise" the words "entire cess on land revenue, excise and forest revenue" may be substituted and that all the words occurring in this sub-clause after the word "excise" may be deleted

Original Clause 109.—We recommend that this Clause may be omitted and subsequent clauses re-numbered suitably.

Clause 107 (Original Clause 110).—We recommend that sub-clause (2) of this Clause may be omitted as it does not appear permissible to levy a surcharge of the kinds contemplated by this sub-clause.

Original Clause 111.—As we understand that such a general provision is not permissible we recommend that this Clause may be deleted and subsequent clauses re-numbered suitably.

Original Clause 115.—We recommend that this Clause may be omitted as it is open to the Government, whenever it considers necessary, to empower a District Board to levy any special cess, to do so by an amendment of this measure.

Clause119 (Original Clause 124).—We recommend that for the words "quarterly meetings" occurring in sub-clause (1) the words "ordinary meetings" may be substituted.

Sub-Clause (2).—We are of the view that the budget of a District Board should be sent to the Government for approval and that such approval should be presumed if the budget is not returned within two months. We accordingly recommend that for the words "shall be sent to the Government" the words "shall be sent for approval to the Government" may be substituted and that the following words may be added at the end:

> "If the budget is not returned by the Government within two months of the receipt thereof by the Government, the budget should be presumed to have been approved by the Government".

Clause 130 (Original Clause 135).—We recommend that in sub-clause (2) for the word "levy" the word "recover" may be substituted.

Original Clause 144.—We recommend that this clause may be omitted as we are not in favour of the Deputy Commissioner exercising powers of a Commissioner under this Act.

Clause 146 (Original Clause 152).—We recommend that in the proviso to sub-clause (4) for the words "five years" the words "one year" may be substituted.

Clause 156 (Original Clause 162).—We are of the opinion that before the Deputy Commissioner proceeds to execute any work in an emergency he should intimate the District Board and it is only on the failure of the District